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## **Iraq: U.S. Regime Change Efforts and Post-Saddam Governance**

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# Iraq: U.S. Regime Change Efforts and Post-Saddam Governance

## Summary

Operation Iraqi Freedom succeeded in overthrowing Saddam Hussein, but Iraq remains violent and unstable because of Sunni Arab resentment and a related insurgency, as well as increasing sectarian violence. According to its November 30, 2005, "Strategy for Victory," the Bush Administration indicates that U.S. forces will remain in Iraq until the country is able to provide for its own security and does not serve as a host for radical Islamic terrorists. The Administration believes that, over the longer term, Iraq will become a model for reform throughout the Middle East and a partner in the global war on terrorism. However, mounting casualties and costs have intensified a debate within the United States over the wisdom of the invasion and whether to wind down U.S. involvement without completely accomplishing U.S. goals.

The Bush Administration asserts that U.S. policy in Iraq is showing important successes, demonstrated by two elections (January and December 2005) that chose an interim and then a full-term National Assembly, a referendum that adopted a permanent constitution (October 15, 2005), progress in building Iraq's security forces, and economic growth. While continuing to build, equip, and train Iraqi security units, the Administration has been working with the new Iraqi government to include more Sunni Arabs in the power structure; Sunnis were dominant during the regime of Saddam Hussein but now feel marginalized by the newly dominant Shiite Arabs and Kurds. The Administration believes that it has largely healed a rift with some European countries over the decision to invade Iraq, and it points to NATO and other nations' contributions of training for Iraqi security forces and government personnel.

Administration critics, including some in Congress, believe the U.S. mission in Iraq is failing and that major new policy initiatives are required. Some believe that U.S. counter-insurgent operations are hampered by an insufficient U.S. troop commitment. Others believe that a U.S. move toward withdrawal might undercut popular support for the insurgency and force compromise among Iraq's factions. Still others maintain that the U.S. approach should focus not on counter-insurgent combat but on reconstruction and policing of towns and cities cleared of insurgents, a plan the Administration says it is now moving toward under an approach termed "clear, hold, and build."

This report will be updated as warranted by major developments. See also CRS Report RS21968, *Iraq: Elections, Government, and Constitution*, by Kenneth Katzman; CRS Report RL31833, *Iraq: Recent Developments in Reconstruction Assistance*, by Curt Tarnoff; CRS Report RL31701, *Iraq: U.S. Military Operations*, by Steve Bowman; and CRS Report RL32105, *Post-War Iraq: Foreign Contributions to Training, Peacekeeping, and Reconstruction*, by Jeremy Sharp and Christopher Blanchard.

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# Iraq: U.S. Regime Change Efforts and Post-Saddam Governance

Iraq has not previously had experience with a democratic form of government, although parliamentary elections were held during the period of British rule under a League of Nations mandate (from 1920 until Iraq's independence in 1932), and the monarchy of the Sunni Muslim Hashemite dynasty (1921-1958).<sup>1</sup> Iraq had been a province of the Ottoman empire until British forces defeated the Ottomans in World War I and took control of what is now Iraq in 1918. Britain had tried to take Iraq from the Ottomans in Iraq earlier in World War I but were defeated at Al Kut in 1916. Britain's presence in Iraq, which relied on Sunni Muslim Iraqis, ran into repeated resistance, facing a major Shiite-led revolt in 1920 and a major anti-British uprising in 1941, during World War II. Iraq's first Hashemite king was Faysal bin Hussein, son of Sharif Hussein of Mecca who, advised by British officer T.E. Lawrence ("Lawrence of Arabia"), led the Arab revolt against the Ottoman Empire during World War I. Faysal ruled Iraq as King Faysal I and was succeeded by his son, Ghazi, who was killed in a car accident in 1939. Ghazi was succeeded by his son, Faysal II, who was only four years old. A major figure under the British mandate and the monarchy was Nuri As-Said, a pro-British, pro-Hashemite Sunni Muslim who served as prime minister 14 times during 1930-1958. Faysal II ruled until the military coup of Abd al-Karim al-Qasim on July 14, 1958. Qasim was ousted in February 1963 by a Baath Party-military alliance. Since that same year, the Baath Party has ruled in Syria, although there was rivalry between the Syrian and Iraqi Baath regimes during Saddam's rule. The Baath Party was founded in the 1940s by Lebanese Christian philosopher Michel Aflaq as a socialist, pan-Arab movement, the aim of which was to reduce religious and sectarian schisms among Arabs.

One of the Baath Party's allies in the February 1963 coup was Abd al-Salam al-Arif. In November 1963, Arif purged the Baath, including Baathist Prime Minister (and military officer) Ahmad Hasan al-Bakr, and instituted direct military rule. Arif was killed in a helicopter crash in 1966 and was replaced by his elder brother, Abd al-Rahim al-Arif, who ruled until the Baath Party coup of July 1968. Following the Baath seizure, Bakr returned to government as President of Iraq and Saddam Hussein, a civilian, became the second most powerful leader as Vice Chairman of the Revolutionary Command Council. In that position, Saddam developed overlapping security services to monitor loyalty among the population and within Iraq's institutions, including the military. On July 17, 1979, the aging al-Bakr resigned at Saddam's urging, and Saddam became President of Iraq. Under Saddam Hussein, secular Shiites held high party positions, but Sunnis, mostly from Saddam's home

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<sup>1</sup> See Eisenstadt, Michael, and Eric Mathewson, eds, *U.S. Policy in Post-Saddam Iraq: Lessons from the British Experience*. Washington Institute for Near East Policy, 2003. Members of the Hashemite family rule neighboring Jordan.

town of Tikrit, dominated the highest party and security positions. Saddam's regime became repressive of Iraq's Shiites in the year after the February 1979 Islamic revolution in neighboring Iran because Iran's revolution had emboldened Iraqi Shiite Islamist movements to try to establish an Iranian-style Islamic republic of Iraq.

## Major Anti-Saddam Factions

The factions that dominate post-Saddam Iraq had been active against Saddam Hussein for decades. Prior to the launching on January 16, 1991, of Operation Desert Storm to reverse Iraq's August 1990 invasion of Kuwait, President George H.W. Bush called on the Iraqi people to overthrow Saddam. That Administration decided not to militarily overthrow Saddam Hussein in the course of the 1991 war because the United Nations had approved only the liberation of Kuwait, because the Arab states in the coalition opposed an advance to Baghdad, and because it feared becoming bogged down in a high-casualty occupation.<sup>2</sup> Within days of the war's end (February 28, 1991), Shiite Muslims in southern Iraq and Kurdish factions in northern Iraq, emboldened by the regime's defeat and the hope of U.S. support, launched significant rebellions. The Shiite revolt nearly reached Baghdad, but the mostly Sunni Muslim Republican Guard forces had survived the war largely intact and they suppressed the rebels. Many Iraqi Shiites blamed the United States for standing aside during Saddam's suppression of the uprisings. Iraq's Kurds, benefitting from a U.S.-led "no fly zone" set up in April 1991, drove Iraqi troops out of much of northern Iraq and remained autonomous thereafter.

About two months after the failure of these uprisings, President George H.W. Bush reportedly sent Congress an intelligence finding that the United States would try to promote a military coup against Saddam Hussein. The Administration apparently believed that a coup by elements within the regime could produce a favorable government without fragmenting Iraq. After a reported July 1992 coup failed, there was a U.S. decision to shift to supporting the Kurdish, Shiite, and other oppositionists that were coalescing into a broad movement.<sup>3</sup> The following section discusses these organizations and personalities, almost all of which are major features of post-Saddam politics. Several of these groupings have militias that are increasingly conducting acts of sectarian-based violence.

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<sup>2</sup> Bush, George H.W., and Brent Scowcroft. *A World Transformed*. Alfred A. Knopf, Inc. 1998.

<sup>3</sup> Congress more than doubled the budget for covert support to the opposition groups to about \$40 million for FY1993, from previous reported levels of about \$15 million to \$20 million. Sciolino, Elaine. "Greater U.S. Effort Backed To Oust Iraqi." *New York Times*, June 2, 1992.

### Major Anti-Saddam Factions/Leaders

Iraqi National Congress (INC)/ Ahmad Chalabi	Main recipient of U.S. aid to anti-Saddam opposition during 1990s. Chalabi was touted by some in Bush Administration prior to 2003 war but has not proven his popularity in Iraq and fell afoul of U.S. officials in 2003-2004. Won no seats in December 15 election.
Iraq National Accord (INA)/Iyad al-Allawi	Consisted of ex-Baathists and ex-military in efforts to topple Saddam in 1990s. Allawi was interim Prime Minister (June 2004-April 2005). Won 40 seats in January 2005 election but only 25 in December.
Kurdistan Democratic Party (KDP) of Masud Barzani/Patriotic Union of Kurdistan of Jalal Talabani	Two main Kurdish factions. Talabani became president of Iraq after January 2005; Barzani has tried to secure his clan's base in the Kurdish north. Control about 70,000 <i>peshmerga</i> militia. Both won 75 seats in January election but only 53 in December.
Grand Ayatollah Ali al-Sistani	Undisputed leading Shiite theologian in Iraq. No formal position in government but has used his broad Shiite popularity to become instrumental in major questions facing it and in U.S. decisions on Iraq.
Supreme Council for the Islamic Revolution in Iraq (SCIRI)/Abd al-Aziz Al Hakim	Largest and best-organized Shiite Islamist party. The most pro-Iranian Shiite party, it was established in 1982 by Tehran to centralize Shiite Islamist movements in Iraq. First leader, Mohammad Baqr Al Hakim, killed by bomb in Najaf in August 2003. Controls "Badr Brigades" militia. As part of United Iraqi Alliance (UIA- 128 total seats in December election), it has about 30 of its members in parliament. Supports formation of large Shiite "region" composed of nine southern provinces.
Da'wa (Islamic Call) Party/Ibrahim al-Jafari	Oldest organized Shiite Islamist party (founded 1957), active against Saddam Hussein in early 1980s. Founder, Mohammad Baqr al-Sadr, was ally of Iran's Ayatollah Khomeini and was hung by Saddam regime in 1980. During 1980s, Da'wa activists committed terrorist acts in Kuwait to try to shake its support for Iraq in Iran-Iraq war. Part of UIA, controls about 28 seats in parliament.
Moqtada Al-Sadr	Young (about 31) relative of Mohammad Baqr Al Sadr, was in Iraq during Saddam's reign. Inherited father's political base in "Sadr City," a large (2 million population) Shiite district of Baghdad. Mercurial, has both challenged and worked with U.S. personnel in Iraq. Formed "Mahdi Army" militia in 2003. Now part of UIA, controls 32 seats in incoming parliament. Also supported by hardline <i>Fadila</i> (Virtue) party. Opposes formation of Shiite "region."

**Secular Groups: Iraqi National Congress (INC) and Iraq National Accord (INA).** In 1992, the two main Kurdish parties and several Shiite Islamist groups coalesced into the “Iraqi National Congress (INC),” on a platform of human rights, democracy, pluralism, and “federalism” (Kurdish autonomy). However, many observers doubted its commitment to democracy, because most of its groups have authoritarian leaderships. The INC’s Executive Committee selected Ahmad Chalabi, a secular Shiite Muslim from a prominent banking family, to run the INC on a daily basis. Chalabi, who is about 62 years old, was educated in the United States (Massachusetts Institute of Technology) as a mathematician. His father was president of the Senate in the monarchy that was overthrown in the 1958 military coup, and the family fled to Jordan. He taught math at the American University of Beirut in 1977 and, in 1978, he founded the Petra Bank in Jordan. He later ran afoul of Jordanian authorities on charges of embezzlement and he left Jordan, possibly with some help from members of Jordan’s royal family, in 1989.<sup>4</sup> Chalabi maintains that the Jordanian government was pressured by Iraq to turn against him. (A table on U.S. appropriations for the Iraqi opposition, including the INC, is an appendix).

As an Iraqi governance structure was established, Chalabi was selected to the Iraq Governing Council (IGC) and he was one of its nine rotating presidents (president during September 2003). In a fallout with his former U.S. backers, U.S.-backed Iraqi police raided INC headquarters in Baghdad on May 20, 2004, seizing documents as part of an investigation of various allegations, including that Chalabi had provided intelligence to Iran.<sup>5</sup> The case was later dropped. Since 2004, Chalabi has tried to ally with Shiite Islamist factions; he was number 10 on Ayatollah Sistani’s “United Iraqi Alliance” slate for the January 30, 2005 elections. He is now one of three deputy prime ministers, with a focus on economic and legal issues (trial of former regime members), and he is still pressing aggressive de-Baathification. Despite a poor showing in the December 15, 2005 elections, in which he ran his own slate, Chalabi was briefly appointed Oil Minister in late December 2005 when the minister resigned due to the raising of gasoline price increases in Iraq, but the minister was reinstated in January 2006.

Another secular group, the Iraq National Accord (INA), was founded after Iraq’s 1990 invasion of Kuwait, was supported initially by Saudi Arabia but reportedly later earned the patronage of the Central Intelligence Agency (CIA).<sup>6</sup> It is led by Dr. Iyad al-Allawi, a Baathist who purportedly helped Saddam Hussein silence Iraqi dissidents in Europe in the mid-1970s.<sup>7</sup> Allawi, who is about 60 years old (born 1946 in Baghdad), fell out with Saddam in the mid-1970s, became a neurologist and presided over the Iraqi Student Union in Europe. He survived an alleged Saddam regime

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<sup>4</sup> In Apr. 1992, he was convicted in absentia of embezzling \$70 million from the bank and sentenced to 22 years in prison. The Jordanian government subsequently repaid depositors a total of \$400 million.

<sup>5</sup> Risen, James, and David Johnston. “Chalabi Reportedly Told Iran That U.S. Had Code,” *New York Times*, June 2, 2004.

<sup>6</sup> Brinkley, Joel. “Ex-CIA Aides Say Iraq Leader Helped Agency in 90’s Attacks,” *New York Times*, June 9, 2004.

<sup>7</sup> Hersch, Seymour. “Annals of National Security: Plan B,” *The New Yorker*, June 28, 2004.



assassination attempt in London in 1978. He is a secular Shiite Muslim, but many INA members are Sunnis. Allawi no longer considers himself a Baath Party member, but he has not openly denounced the original tenets of Baathism.

In 1996, the fractiousness among anti-Saddam groups caused the Clinton Administration to shift support to the INA.<sup>8</sup> However, the INA proved penetrated by Iraq's intelligence services and Baghdad arrested or executed over 100 INA activists in June 1996. In August 1996, Baghdad launched a military incursion into northern Iraq, at the invitation of the KDP, to help it capture Irbil from the PUK. The incursion enabled Baghdad to also rout remaining INC and INA operatives throughout the north.

**The Kurds.**<sup>9</sup> The Kurds, who are mostly Sunni Muslims but are not Arabs, are probably the most pro-U.S. of all major groups. They have a historic fear of persecution by the Arab majority and want to, at the very least, preserve the autonomy of the post-1991 Gulf war period. Some indications in 2005 suggested that the main parties might want to go beyond autonomy to quasi or outright independence, particularly if factional strife continues in Iraq. Some reports say that the Kurds are positioning themselves to secure the city of Kirkuk, which the Kurds covet as a source of oil, and possibly part of the city of Mosul. The Kurds also achieved language in the new constitution requiring a vote by December 2007 on whether Kirkuk might formally join the Kurdish administered region.

For now, both major Kurdish factions are participating in Iraqi politics, the PUK more so than the KDP. PUK leader Talabani was IGC president in November 2003, and the KDP's Barzani led it in April 2004. The two factions offered a joint slate in the January 30 and December 15 elections. Talabani became Iraq's president after the January elections and is now being nominated to continue in that post after the December election. On June 12, 2005, the 111-seat Kurdish regional assembly (also elected on January 30, 2005) named Barzani "president of Kurdistan." Yet, Barzani did participate extensively in the final negotiations on the new Iraqi constitution. Barzani visited Washington, D.C., in October 2005 and met with President Bush.

**Shiite Islamist Leaders and Organizations: Ayatollah Sistani, SCIRI, Da'wa Party, Moqtada al-Sadr, and Others.** Shiite Islamist organizations have emerged as the strongest factions in post-Saddam politics. Shiite Muslims constitute about 60% of the population but were under-represented in every Iraqi government. Several factions cooperated with the U.S. regime change efforts of the 1990s, but others had no contact with the United States.

The undisputed Shiite religious leader in Iraq is Grand Ayatollah Sistani. He maintained a low profile during Saddam Hussein's regime and was not part of U.S.-backed regime change efforts in the 1990s. As the "*marja-e-taqlid*" (source of emulation) and, since 1992, as the most senior of the four Shiite clerics that lead the

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<sup>8</sup> An account of this shift in U.S. strategy is essayed in Hoagland, Jim. "How CIA's Secret War On Saddam Collapsed," *Washington Post*, June 26, 1997.

<sup>9</sup> For an extended discussion, see CRS Report RS22079, *The Kurds in Post-Saddam Iraq*, by Kenneth Katzman and Alfred B. Prados.

Najaf-based “*Hawza al-Ilmiyah*” (a grouping of seminaries), he is a major political force in post-Saddam politics.<sup>10</sup> He has a network of agents (*wakils*) throughout Iraq and in countries where there are large Shiite communities. He was instrumental in putting together the united slate of Shiite Islamist movements in the 2005 elections (“United Iraqi Alliance,” UIA).

Sistani, about 77 years old, was born in Iran and studied in Qom, Iran, before relocating to Najaf at the age of 21. His mentor, the former head of the *Hawza*, was Ayatollah Abol Qasem Musavi-Khoi. Like Khoi, Sistani generally opposes a direct role for clerics in government, but he believes in clerical supervision of political leaders, partly explaining his involvement in major post-Saddam political decisions. He wants Iraq to maintain its Islamic culture and not become Westernized, favoring modest dress for women and curbs on sales of alcohol and Western music and entertainment.<sup>11</sup> He suffers from heart problems that required treatment in the United Kingdom in August 2004.

**Supreme Council for the Islamic Revolution in Iraq (SCIRI).** With the Da’wa Party, it constitutes the core of the UIA election coalition. SCIRI founders were in exile in Iran after a major crackdown in 1980 by Saddam, who accused pro-Khomeini Iraqi Shiite Islamists of trying to overthrow him. During Khomeini’s exile in Najaf (1964-1978), Khomeini was hosted by Grand Ayatollah Muhsin al-Hakim, father of the Hakim brothers that founded SCIRI. The Ayatollah was then head of the *Hawza*. Although it was a member of the INC in the early 1990s, SCIRI refused to accept U.S. funds, although it did have contacts with the United States during this period.

Abd al-Aziz al-Hakim, a lower ranking Shiite cleric, is now SCIRI’s leader; he served on the IGC (he was IGC president during December 2003) and was number one on the UIA slate in each of the 2005 elections, but took no formal position in government. One of his top aides, Bayan Jabr, is Interior Minister, who runs the national police and who has been accused of packing police forces with members of SCIRI’s “Badr Brigades” militia, which are discussed under “Militias,” below. Because of the criticism, it has been widely reported in January 2006 that he will not likely be reappointed Interior Minister in the full-term government soon to be assembled. SCIRI leaders say they do not seek to establish an Iranian-style Islamic republic, but SCIRI reportedly receives substantial amounts of financial and in-kind assistance from Iran. SCIRI also runs a television station.

**Da’wa Party/Prime Minister Ibrahim al-Jafari.** The second major Shiite Islamist party is the Da’wa (Islamic Call) Party. During the 1990s, Da’wa did not join the U.S.-led effort to overthrow Saddam Hussein. Da’wa does not have an

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<sup>10</sup> The three other senior Hawza clerics are Ayatollah Mohammad Sa’id al-Hakim (uncle of the leader of the Supreme Council of the Islamic Revolution in Iraq, Abd al-Aziz al-Hakim); Ayatollah Mohammad Isaac Fayadh, who is of Afghan origin; and Ayatollah Bashir al-Najafi, of Pakistani origin.

<sup>11</sup> For information on Sistani’s views, see his website at [<http://www.sistani.org>].

organized militia and it has a lower proportion of clerics than does SCIRI.<sup>12</sup> Its leader is Ibrahim al-Jafari, who is about 55 years old (born in 1950 in Karbala), and who is now Prime Minister. A Da'wa activist since 1966, he attended medical school in Mosul and fled to Iran in 1980 to escape Saddam's crackdown on the Da'wa. He later went to live in London, possibly because he did not want to be seen as too closely linked to Iran. Jafari previously served on the IGC;<sup>13</sup> he was the first of the nine rotating IGC presidents (August 2003). He was deputy president in Allawi's interim government. He was number 7 on the UIA slate and, on April 7, 2005, he became prime minister; he is a leading candidate to remain as prime minister in the full-term government being negotiated now.

Although there is no public evidence that Jafari was involved in any terrorist activity, the Kuwaiti branch of the Da'wa allegedly committed a May 1985 attempted assassination of the Amir of Kuwait and the December 1983 attacks on the U.S. and French embassies in Kuwait. Lebanese Hizballah was founded by Lebanese clerics loyal to Ayatollah Baqr Al Sadr and Khomeini, and there continue to be personal and ideological linkages between Hizballah and Da'wa (as well as with SCIRI). The Hizballah activists who held U.S. hostages in Lebanon during the 1980s often attempted to link release of the Americans to the release of 17 Da'wa prisoners held by Kuwait for those attacks in the 1980s. Some Da'wa members in Iraq are guided by Lebanon's Shiite cleric Mohammed Hossein Fadlallah, who was a student of Baqr Al Sadr.

***Moqtada al-Sadr Faction ("Sadrist").*** The 31-year-old Moqtada Al Sadr (born in 1974) is emerging as a major figure in Iraq. He is the lone surviving son of the revered Ayatollah Mohammed Sadiq al-Sadr (the Ayatollah was killed, along with his other two sons, by regime security forces in 1999 after he began agitating against Saddam's government). He is viewed by the mainstream Shiite groups as a young firebrand who lacks religious and political weight. This view first took hold on April 10, 2003, when his supporters allegedly stabbed to death Abd al-Majid Khoi, the son of the late Grand Ayatollah Khoi, shortly after Khoi's U.S.-backed arrival in Iraq.<sup>14</sup> However, the established Shiite factions, as well as Iranian diplomats, are building ties to him because of his large following.

By participating fully in the December 15, 2005, elections, Sadr has further distanced himself from his more anti-U.S., anti-establishment activities in 2003 and 2004. During that time, he used Friday prayer sermons in Kufa (near Najaf) and newspaper publications to agitate for a U.S. withdrawal, and he did not seek to join the IGC or the interim government. He formed the "*Mahdi Army*" militia in 2003, as discussed below under "Militias." In the January 30, 2005, elections, Sadr started moving into the political process by permitting some of his supporters to join the UIA slate, even though he publicly denounced those elections as a product of U.S. occupation. Pro-Sadr candidates also won pluralities in several southern Iraqi

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<sup>12</sup> There are breakaway factions of Da'wa, the most prominent of which calls itself Islamic Da'wa of Iraq, but these factions are believed to be far smaller than Da'wa.

<sup>13</sup> Salim was killed May 17, 2004, in a suicide bombing while serving as IGC president.

<sup>14</sup> Khoi had headed the Khoi Foundation, based in London.

provincial council elections and hold 6 seats on Basra's 41-seat provincial council. It is reported that three ministers in the interim government, including minister of transportation Salam al-Maliki, are Sadr supporters.

**Other Shiite Organizations.** A smaller Shiite Islamist organization, the Islamic Amal (Action) Organization, is headed by Ayatollah Mohammed Taqi Modarassi, a relatively moderate Shiite cleric. Islamic Amal's power base is in Karbala, and, operating under the SCIRI umbrella, it conducted attacks there against regime organs in the 1980s. Modarassi's brother, Abd al-Hadi, headed the Islamic Front for the Liberation of Bahrain, which stirred Shiite unrest against Bahrain's regime in the 1980s and 1990s. Islamic Amal won two seats in the January 30 election. Another Shiite grouping, called *Fadilah*, is part of the UIA coalition. Loyal to Ayatollah Mohammad Yacoubi, it is a splinter group of Moqtada al-Sadr's faction and is perceived as somewhat more hardline (anti-U.S. presence) than SCIRI or Da'wa. It holds some seats on several provincial councils in the Shiite provinces.

Other Shiite parties are operating in southern Iraq. One such grouping is derived from the fighters who challenged Saddam Hussein's forces in the southern marsh areas, around the town of Amara, north of Basra. It goes by the name Hizbollah-Iraq and it is headed by guerrilla leader Abdul Karim Muhammadawi, who was on the IGC. Hizbollah-Iraq apparently plays a major role in policing Amara and environs. Another pro-Iranian grouping, which wields a militia, is called Thar Allah (Vengeance of God).

## Clinton Administration Policy/Iraq Liberation Act

From the time of Iraq's defeat of the INC and INA in northern Iraq in August 1996 until 1998, the Clinton Administration had little contact with opposition groups, believing them too weak to topple Saddam. During 1997-1998, Iraq's obstructions of U.N. weapons of mass destruction (WMD) inspections led to growing congressional calls to overthrow Saddam. A congressional push for regime change began with an FY1998 supplemental appropriations (P.L. 105-174) and continued subsequently. The sentiment was encapsulated in the "Iraq Liberation Act" (ILA, P.L. 105-338, October 31, 1998). The ILA was viewed as an expression of congressional support for the concept, advocated by Chalabi and some U.S. experts, of promoting an Iraqi insurgency using U.S. air-power. In the debate over the decision to go to war, Bush Administration officials have cited the ILA as evidence of a bi-partisan consensus that Saddam Hussein needed to be removed. President Clinton signed the legislation, despite doubts about opposition capabilities. The ILA

- stated that it should be the policy of the United States to "support efforts" to remove the regime headed by Saddam Hussein. In mid-November 1998, President Clinton publicly articulated that regime change was a component of U.S. policy toward Iraq. Section 8 states that the act should not be construed as authorizing the use of U.S. military force to achieve regime change.
- gave the President authority to provide up to \$97 million worth of defense articles and services, as well as \$2 million in broadcasting funds, to opposition groups designated by the Administration.

- did not specifically provide for its termination after Saddam Hussein is removed from power. Section 7 of the ILA provides for continuing post-Saddam “transition assistance” to Iraqi parties and movements with “democratic goals.”

The signing of the ILA coincided with new crises over Iraq’s obstructions of U.N. weapons inspections. On December 15, 1998, U.N. inspectors were withdrawn, and a three-day U.S. and British bombing campaign against suspected Iraqi WMD facilities followed (Operation Desert Fox, December 16-19, 1998). On February 5, 1999, President Clinton issued a determination (P.D. 99-13) making the following seven opposition groups eligible to receive U.S. military assistance: INC; INA; SCIRI; KDP; PUK; the Islamic Movement of Iraqi Kurdistan (IMIK);<sup>15</sup> and the Movement for Constitutional Monarchy (MCM),<sup>16</sup> a relatively small party advocating the return of Iraq’s monarchy. However, the Clinton Administration decided that the opposition was not sufficiently capable to merit weapons or combat training.

## Bush Administration Policy

Even though several senior Bush Administration officials had been strong advocates of a regime change policy, many of the long-standing questions about the difficulty of that strategy remained.<sup>17</sup> The Bush Administration initially did not alter its predecessor’s decision not to provide lethal aid. Some accounts say that the Administration was planning, prior to September 11, to confront Iraq militarily, but President Bush has denied this. During its first year, Administration policy focused on strengthening containment of Iraq, which the Administration said was rapidly eroding. The cornerstone of the policy was to achieve U.N. Security Council adoption of a “smart sanctions” plan — relaxing U.N.-imposed restrictions on exports to Iraq of purely civilian equipment<sup>18</sup> in exchange for improved international enforcement of the U.N. ban on exports to Iraq of militarily-useful goods. The major features of the plan were adopted by U.N. Security Council Resolution 1409 (May 14, 2002).

**Post-September 11 Regime Change Policy.** Bush Administration Iraq policy changed dramatically after the September 11, 2001, terrorist attacks. The shift

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<sup>15</sup> Because of its role in the eventual formation of the radical Ansar al-Islam group, the IMIK did not receive U.S. funds after 2001, although it was not formally taken off the ILA eligibility list.

<sup>16</sup> In concert with a May 1999 INC visit to Washington D.C., the Clinton Administration announced a draw down of \$5 million worth of training and “non-lethal” defense articles under the ILA. During 1999-2000, about 150 oppositionists underwent civil administration training at Hurlburt air base in Florida, including Defense Department-run civil affairs training to administer a post-Saddam government. The Hurlburt trainees were not brought into Operation Iraqi Freedom or into the Free Iraqi Forces that deployed to Iraq toward the end of the major combat phase of the war.

<sup>17</sup> One account of Bush Administration internal debates on the strategy is found in Hersh, Seymour. “The Debate Within,” *The New Yorker*, Mar. 11, 2002.

<sup>18</sup> For more information on this program, see CRS Report RL30472, *Iraq: Oil For Food Program, Illicit Trade, and Investigations*, by Kenneth Katzman and Christopher Blanchard.

to an active regime change effort followed President Bush's State of the Union message on January 29, 2002. In that speech, given as the U.S.-led war on the Taliban and Al Qaeda in Afghanistan was winding down, he characterized Iraq as part of an "axis of evil" (with Iran and North Korea). Some U.S. officials, particularly deputy Defense Secretary Wolfowitz, asserted that the United States needed to respond to the September 11, 2001, attacks by "ending states" that support terrorist groups, including Iraq. Vice President Cheney visited the Middle East in March 2002 reportedly to consult regional countries about the possibility of confronting Iraq militarily, although the leaders visited reportedly urged greater U.S. attention to the Arab-Israeli dispute and opposed confrontation with Iraq. Some accounts, including the book *Plan of Attack*, by Bob Woodward (published in April 2004) say that then Secretary of State Powell and others were concerned about the potential consequences of an invasion of Iraq, particularly the difficulties of building a democracy after major hostilities ended. Other accounts include reported memoranda (the "Downing Street Memo") by British intelligence officials, based on conversations with U.S. officials. That memo reportedly said that by mid-2002 the Administration had already decided to go to war against Iraq and that it sought to develop information about Iraq to support that judgment. President Bush and British Prime Minister Tony Blair deny this. (On December 20, 2001, the House passed H.J.Res. 75, by a vote of 392-12, calling Iraq's refusal to readmit U.N. weapons inspectors a "mounting threat" to the United States.)

The primary theme in the Bush Administration's public case for the need to confront Iraq was that Iraq posted a "grave and gathering" threat that should be blunted before the threat became urgent. The basis of that assertion in U.S. intelligence remains under debate. The Administration added that regime change would yield the further benefit of liberating the Iraqi people from a brutal dictator and promoting democracy in the heart of the Middle East.

- *WMD Threat Perception.* Senior U.S. officials asserted the following about Iraq's WMD: (1) that Iraq had worked to rebuild its WMD programs in the nearly four years since U.N. weapons inspectors left Iraq and had failed to comply with 16 U.N. resolutions that demanded complete elimination of all of Iraq's WMD programs; (2) that Iraq had used chemical weapons against its own people (the Kurds) and against Iraq's neighbors (Iran), implying that Iraq would not necessarily be deterred from using WMD against the United States; and (3) that Iraq could transfer its WMD to terrorists, particularly Al Qaeda, for use in potentially catastrophic attacks in the United States or elsewhere. Critics noted that, under the U.S. threat of retaliation, Iraq did not use WMD against U.S. troops in the 1991 Gulf war. The U.S.-led Iraq Survey Group, whose work formally terminated in December 2004, determined that Iraq did not possess active WMD programs, although it retained the intention and capabilities to reconstitute them. (See the CIA website at [[http://www.cia.gov/cia/reports/iraq\\_wmd\\_2004/](http://www.cia.gov/cia/reports/iraq_wmd_2004/)].)
- *Links to Al Qaeda.* Iraq was a designated state sponsor of terrorism during 1979-82, and was again designated after the 1990 invasion of Kuwait. Although they did not assert that Saddam Hussein's regime

had a direct connection to the September 11 attacks or the October 2001 anthrax mailings, senior U.S. officials said there was evidence of Iraqi linkages to Al Qaeda, in part because of the presence of pro-Al Qaeda militant leader Abu Musab al-Zarqawi in northern Iraq. The final report of the 9/11 Commission found no evidence of a “collaborative operational linkage” between Iraq and Al Qaeda.<sup>19</sup>

**Operation Iraqi Freedom (OIF): Major Combat.** Although it is not certain when the Administration decided on an invasion, in mid-2002 the Administration began ordering a force to the region that, by early 2003, clearly gave the President an invasion option. In concert, the Administration tried to build up and broaden the Iraqi opposition. On June 16, 2002, the *Washington Post* reported that, in early 2002, President Bush authorized stepped up covert activities by the CIA and special operations forces to destabilize Saddam Hussein. In August 2002, the State and Defense Departments jointly invited six major opposition groups to Washington, D.C. At the same time, the Administration expanded its ties to several groups, particularly those composed of ex-military officers. The Administration also began training about 5,000 oppositionists to assist U.S. forces,<sup>20</sup> although only about 70 completed training at an air base (Taszar) in Hungary.<sup>21</sup> They served mostly as translators during the war.

In an effort to obtain U.N. backing for confronting Iraq — support that then Secretary of State Powell reportedly argued was needed — President Bush urged the United Nations General Assembly on September 12, 2002 that the U.N. Security Council should enforce its 16 existing WMD-related resolutions on Iraq. The Administration subsequently agreed to give Iraq a “final opportunity” to comply with all applicable Council resolutions by supporting Security Council Resolution 1441 (November 8, 2002), which gave the U.N. inspection body UNMOVIC (U.N. Monitoring, Verification, and Inspection Commission) new powers of inspection. Iraq reluctantly accepted it. UNMOVIC Director Hans Blix and International Atomic Energy Agency (IAEA) Director Mohammad al-Baradei subsequently briefed the Security Council on WMD inspections that resumed November 27, 2002. They criticized Iraq for failing to pro-actively cooperate, but also noted progress and said that Iraq might not have retained any WMD. The Bush Administration asserted that Iraq was not cooperating with Resolution 1441 because it was not pro-actively revealing information to UNMOVIC and the IAEA. (A “comprehensive” September 2004 report of the Iraq Survey Group, known as the “Duelfer report,”<sup>22</sup> found no WMD stockpiles or production but said that there was evidence that the regime retained the intention to reconstitute WMD programs in the future. The U.S.-led

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<sup>19</sup> 9/11 Commission Report, p. 66.

<sup>20</sup> Deyoung, Karen, and Daniel Williams, “Training of Iraqi Exiles Authorized,” *Washington Post*, Oct. 19, 2002.

<sup>21</sup> Williams, Daniel. “U.S. Army to Train 1,000 Iraqi Exiles,” *Washington Post*, Dec. 18, 2002.

<sup>22</sup> The full text of the Duelfer report is available at [<http://news.findlaw.com/hdocs/docs/iraq/cia93004wmdrpt.html>].

WMD search ended December 2004.<sup>23</sup> The UNMOVIC search remains technically active.<sup>24</sup>)

During this period, Congress debated the costs and risks of an invasion. It adopted H.J.Res. 114, authorizing the President to use military force against Iraq if he determines that doing so is in the national interest and would enforce U.N. Security Council resolutions. It passed the House October 11, 2002 (296-133), and the Senate the following day (77-23). It was signed October 16, 2002 (P.L. 107-243).

In Security Council debate, opponents of war, including France, Russia, China, and Germany, said the pre-war WMD inspections showed that Iraq could be disarmed peacefully or contained indefinitely. The United States, along with Britain, Spain, and Bulgaria, maintained that Iraq had not fundamentally decided to disarm. At a March 16, 2003, summit meeting with the leaders of Britain, Spain, and Bulgaria at the Azores, President Bush asserted that diplomatic options to disarm Iraq had failed. The following evening, President Bush gave Saddam Hussein and his sons, Uday and Qusay, an ultimatum to leave Iraq within 48 hours to avoid war. They refused and OIF began on March 19, 2003.

In the war, Iraq's conventional military forces were overwhelmed by the approximately 380,000-person U.S. and British force assembled (a substantial proportion of which remained afloat or in supporting roles). Some Iraqi units and irregulars ("Saddam's Fedayeen") put up stiff resistance and used unconventional tactics. No WMD was used, although Iraq did fire some ballistic missiles into Kuwait; it is not clear whether those missiles were of prohibited ranges (greater than 150 km). The regime vacated Baghdad on April 9, 2003, although Saddam Hussein appeared publicly with supporters that day in the Adhamiya district of Baghdad.

## Post-Saddam Governance and Transition

U.S. goals for Iraq following the fall of Saddam Hussein have changed somewhat. U.S. goals initially were to create a model democracy that is at peace with its neighbors, free of WMD, and an ally of the United States. However, according to its November 30, 2005, "Strategy for Victory," the Administration goal now is to create an Iraq that can provide for its own security and does not serve as a host for radical Islamic terrorists. The Administration believes that, over the longer term, Iraq will still become a model for reform throughout the Middle East, but there is growing debate over whether U.S. policy can establish a stable and democratic Iraq at an acceptable cost.<sup>25</sup> The political transition in post-Saddam Iraq has advanced, but insurgent violence is still widespread and sectarian violence is increasing.

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<sup>23</sup> For analysis of the former regime's WMD and other abuses, see CRS Report RL32379, *Iraq: Former Regime Weapons Programs, Human Rights Violations, and U.S. Policy*, by Kenneth Katzman.

<sup>24</sup> For information on UNMOVIC's ongoing activities, see [<http://www.unmovic.org/>].

<sup>25</sup> For text of President Bush's June 28, 2005, speech on Iraq, see [<http://www.whitehouse.gov/news/releases/2005/06/print/20050628-7.html>].



**Occupation Period/Coalition Provisional Authority (CPA).** After the fall of the regime, the United States set up an occupation structure, reportedly grounded in Administration concerns that immediate sovereignty would favor major anti-Saddam factions and not necessarily produce democracy. These concerns had led the Administration to oppose a move by the U.S.-backed anti-Saddam groups to declare a provisional government before the invasion. The Administration initially tasked Lt. Gen. Jay Garner (ret.) to direct reconstruction with a staff of U.S. government personnel to administer Iraq's ministries; they deployed in April 2003. He headed the Office of Reconstruction and Humanitarian Assistance (ORHA), within the Department of Defense, created by a January 20, 2003 executive order. The Administration's immediate post-war policy did not make use of an extensive State Department initiative, called the "Future of Iraq Project," that spent at least a year before the war drawing up plans for administering Iraq after the fall of Saddam. Some Iraqis who participated are now in Iraqi government positions. The State Department project, which cost \$5 million, had 15 working groups on major issues.<sup>26</sup>

Garner tried to quickly establish a representative successor Iraqi regime. He and then White House envoy Zalmay Khalilzad (now Ambassador to Iraq) organized a meeting in Nassiriyah (April 15, 2003) of about 100 Iraqis of varying ethnicities and ideologies. A subsequent meeting of over 250 notables was held in Baghdad (April 26, 2003), ending in agreement to hold a broader meeting one month later to name an interim administration. However, senior U.S. officials reportedly disliked Garner's lax approach, including tolerating Iraqis naming themselves as local leaders. In May 2003, the Administration named ambassador L. Paul Bremer to replace Garner by heading a "Coalition Provisional Authority" (CPA), which subsumed ORHA. The CPA was an occupying authority recognized by U.N. Security Council Resolution 1483 (May 22, 2003). Bremer suspended Garner's political transition process and decided instead to appoint a 25- to 30-member Iraqi advisory body that would not have sovereignty.

**Iraq Governing Council.** On July 13, 2003, Bremer named the 25-member Iraq Governing Council (IGC). Its major figures included the leaders of the major anti-Saddam factions, but it was perceived in Iraq as an arm of U.S. decision-making. Some emergent figures were on it, including Ghazi al-Yawar, a Sunni elder (Shammar tribe) and president of a Saudi-based technology firm. (He is now a deputy president.) In September 2003, the IGC selected a 25-member "cabinet" to run individual ministries, with roughly the same factional and ethnic balance of the IGC itself (a slight majority of Shiite Muslims). The IGC began a process of "de-Baathification" — a purge from government of about 30,000 persons who held any of the four top ranks of the Baath Party — and it authorized a war crimes tribunal for Saddam and his associates. That function is now performed by a 323-member "Supreme Commission on De-Baathification." The IGC dissolved on June 1, 2004, when an interim government (of Iyad al-Allawi) was named.

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<sup>26</sup> Information on the project, including summaries of the findings of its 17 working groups, can be found at [<http://usinfo.state.gov/products/pubs/archive/dutyiraq/>].

## The Handover of Sovereignty

The Bush Administration initially made the end of U.S. occupation contingent on the completion of a new constitution and the holding of national elections for a new government, tasks expected to be completed by late 2005. However, Ayatollah Sistani and others agitated for an early restoration of Iraqi sovereignty and for direct elections for a new government. In response, in November 2003, the United States announced it would return sovereignty to Iraq by June 30, 2004, and that elections for a permanent government would be held by the end of 2005.

**Interim Constitution/Transition Roadmap.** The CPA decisions on transition roadmap were incorporated into an interim constitution, the Transitional Administrative Law (TAL), which was drafted by a committee dominated by the major anti-Saddam factions and signed on March 8, 2004.<sup>27</sup> It provided for the following:

- Elections by January 31, 2005, for a 275-seat transitional National Assembly, with election laws aimed to have “women constitute no less than 25% of the members of the National Assembly.” A permanent constitution would be drafted by August 15, 2005, and put to a national referendum by October 15, 2005. National elections for a permanent government, under the new constitution (if it passed), would be held by December 15, 2005. The new government would take office by December 31, 2005.
- Any three provinces could veto the constitution by a two-thirds majority. If that happened, a new draft was to be developed and voted on by October 15, 2006. In that case, the December 15, 2005, elections would have been for another interim National Assembly.
- The Kurds maintained their autonomous “Kurdistan Regional Government.” They were given powers to contradict or alter the application of Iraqi law in their provinces, and their *peshmerga* militia were allowed to operate.
- Islam was designated “a source,” but not the primary source, of law, and no law could be passed that contradicts such rights as peaceful assembly; free expression; equality of men and women before the law; and the right to strike and demonstrate.

**Interim (Allawi) Government/Sovereignty Handover.** The TAL did not directly address the formation of the interim government that assumed sovereignty. Sistani’s opposition torpedoed an initial U.S. plan to select a national assembly through nationwide “caucuses,” not elections. After considering other options, such as the holding of a traditional assembly, the United States tapped U.N. envoy

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<sup>27</sup> The text of the TAL can be obtained from the CPA website [<http://cpa-iraq.org/government/TAL.html>].

Lakhdar Brahimi to select that government,<sup>28</sup> but maneuvering by senior politicians led to their domination of it. The interim government was named on June 1, 2004, and began work immediately; the IGC dissolved. The formal handover of sovereignty occurred on June 28, 2004, two days before the advertised June 30 date, partly to confound insurgents. The interim government, whose powers were addressed in an addendum to the TAL, had a largely ceremonial president (Ghazi al-Yawar) and two deputy presidents (the Da'wa's Jafari and the KDP's Dr. Rowsch Shaways). Iyad al-Allawi was Prime Minister, with executive power, and there was a deputy prime minister and 26 ministers. Six ministers were women, and the ethnicity mix was roughly the same as in the IGC. The key defense and interior ministries were headed by Sunni Arabs.

**U.N. Backing of New Government/Coalition Military Mandate.** The Administration asserts that it has consistently sought international backing for its Iraq efforts, and it has supported an increase in the U.N. role since late 2003. Resolution 1483 (May 6, 2003) recognized the CPA as an occupying authority; provided for a U.N. special representative to Iraq; and it “call[ed] on” governments to contribute forces for stabilization. Resolution 1500 (August 14, 2003) established U.N. Assistance Mission - Iraq (UNAMI).<sup>29</sup> The size of UNAMI in Iraq is rising to a target level of about 300 people. In a further attempt to satisfy the requirements of several major nations for greater U.N. backing of the coalition military presence, the United States obtained agreement on Resolution 1511 (October 16, 2003), formally authorizing a “multinational force under unified [meaning U.S.] command.”

Resolution 1546 (June 8, 2004) took U.N. involvement a step further by endorsing the handover of sovereignty, reaffirming the responsibilities of the interim government, and spelling out the duration and legal status of U.S.-led forces in Iraq. It also gave the United Nations a major role in helping the interim government prepare for the two elections in 2005, and it authorized a coalition component force to protect U.N. personnel and facilities. Primarily because of Sistani's opposition to the TAL's provision that would allow the Kurds a veto over a permanent constitution, the Resolution did not explicitly endorse the TAL. The Resolution also stipulated the following:

- U.S. officials would no longer have final authority on non-security issues. The interim government and the elected government could have amended the TAL or revoked CPA decrees, but they did so on only a few occasions.
- The coalition's mandate would be reviewed “at the request of the Government of Iraq or twelve months from the date of this resolution” (or June 8, 2005); that the mandate would expire when a permanent government is sworn in at the end of 2005; and that the mandate would be terminated “if the Iraqi government so requests.”

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<sup>28</sup> Chandrasekaran, Rajiv. “Envoy Urges U.N.-Chosen Iraqi Government,” *Washington Post*. Apr. 15, 2004.

<sup>29</sup> On August 12, 2004, its mandate was renewed for one year and on Aug. 11, 2005 (Resolution 1619), for another year.

The Security Council reviewed the mandate in advance of the June 8, 2005 deadline, and no alterations to it were made. However, on November 11, 2005, in advance of the termination of the mandate, the Security Council adopted Resolution 1637 extending the coalition military mandate to December 31, 2006, unless earlier requested by the Iraqi government. There will also be a review of the mandate on June 15, 2006.

- The relationship between U.S. and Iraqi forces is “coordination and partnership,” as spelled out in an annexed exchange of letters between the United States and Iraq. The Iraqi government does not have a veto over coalition operations, and the coalition retains the ability to take prisoners. Iraqi forces are “a principal partner in the multi-national force operating in Iraq under unified [American] command pursuant to the provisions of [Resolution 1511] and *any subsequent resolutions*.”
- An agreement on the status of foreign forces (Status of Forces Agreement, SOFA) in Iraq would be deferred to an elected Iraqi government. No such agreement has been signed, to date, and U.S. forces operate in Iraq and use its facilities (such as Balad air base) under temporary memoranda of understanding. However, Secretary of Defense Rumsfeld told journalists on July 27, 2005, that U.S. military lawyers are working with the Iraqis on a SOFA or other arrangements that would cover U.S. operations in Iraq after a permanent government takes over.
- There would be a 100-seat “Interim National Council” to serve as an interim parliament. The body, selected during August 13-18, 2004,<sup>30</sup> did not have legislative power but was able to veto government decisions with a 2/3 majority. The council held some televised “hearings,” including questioning ministers. Its work ended after the National Assembly was elected in January 2005.

**Post-Handover U.S. Structure in Iraq.** The following were additional consequences of the sovereignty handover, designed in part to lower the profile of U.S. influence over post-handover Iraq.

- As of the June 28, 2004, handover of sovereignty, the state of occupation ceased. Subsequently, a U.S. Ambassador (John Negroponte) established U.S.-Iraq diplomatic relations for the first time since January 1991. Negroponte’s philosophy was to generally refrain from directly intervening in internal Iraqi debates. A U.S. embassy formally opened on June 30, 2004; it is staffed with about

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<sup>30</sup> Tavernise, Sabrina. “In Climax To a Tumultuous 4-Day Debate, Iraq Chooses An Assembly,” *New York Times*, Aug. 19, 2004.

1,100 U.S. personnel.<sup>31</sup> Negroponte was succeeded in July 2005 by Ambassador Zalmay Khalilzad, who was previously Ambassador to Afghanistan and who takes a more activist approach. (An FY2005 supplemental appropriations, P.L. 109-13, provided \$592 million of \$658 million requested to construct a new embassy in Baghdad and to fund embassy operations.) In August 2005, Secretary of State Rice named a new State Department-based chief coordinator for Iraq; former deputy chief of mission in post-Saddam Baghdad, James Jeffrey.

- Iraq gained control over its oil revenues and the Development Fund for Iraq (DFI), subject to monitoring for at least one year (until June 2005) by the U.N.-mandated International Advisory and Monitoring Board (IAMB). Iraq also was given responsibility for close-out of the “oil-for-food program.”<sup>32</sup> Resolution 1483 (May 22, 2004) ended that program as of November 21, 2003.
- Reconstruction management and advising of the new Iraqi government were taken over by the State Department through the U.S. Embassy and a unit called the “Iraq Reconstruction and Management Office (IRMO).” IRMO is headed since June 2005 by Daniel Speckhard. About 150 U.S. civilian personnel work out of four major centers around Iraq (satellites of the U.S. Embassy) — Hilla, Basra, Kirkuk, and Mosul, and 15-20 of them report to IRMO. A separate “Project Contracting Office (PCO),” headed by Brig. Gen. William McCoy and is now under the Army Corps of Engineers, funds infrastructure projects such as roads, power plants, and school renovations.
- U.S. military headquarters in Baghdad (Combined Joint Task Force-7, CJTF-7) became a multi-national headquarters “Multinational Force-Iraq, MNF-I,” headed by four-star U.S. Gen. George Casey. As of January 2006, Lt. Gen. Peter Chiarelli is operational commander of U.S. forces as head of the “Multinational Corps-Iraq.”

## Governmental and Constitution Votes in 2005

After the handover of sovereignty, the United States and Iraq began focusing on the three national votes that would be held in 2005.

**January 30, 2005 Elections/New Government.** On January 30, 2005, elections were held for a transitional National Assembly, 18 provincial councils, and the Kurdish regional assembly. Sunnis, still resentful of the U.S. invasion, did not participate in the vote, and no major Sunni slates were offered. This enabled the UIA

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<sup>31</sup> See CRS Report RS21867, *U.S. Embassy in Iraq*, by Susan B. Epstein.

<sup>32</sup> For information on that program, see CRS Report RL30472, *Iraq: Oil-for-Food Program, Illicit Trade, and Investigations*, by Kenneth Katzman and Christopher Blanchard.

to win a slim majority (140 of the 275 seats) and to ally with the Kurds (75 seats) to dominate the government formed subsequently. (Other seat allocations are contained in a table in CRS Report RS21968, *Iraq: Elections, Government, and Constitution*, by Kenneth Katzman.) U.S. officials said publicly this government was not sufficiently inclusive of the Sunni minority, even though it had a Sunni (Hajim al-Hassani) as Assembly speaker; a Sunni deputy president (Ghazi al-Yawar); a Sunni deputy prime minister (Abd al-Mutlak al-Jabburi); a Sunni Defense Minister (Sadoun Dulaymi); and five other Sunni ministers. The Sunnis complained that the ministerial slots they hold (other than Defense) are relatively unimportant, such as the ministries of culture and of women's affairs. The other major positions were dominated by Shiites and Kurds, such as PUK leader Jalal Talabani as president; Da'wa leader Ibrahim al-Jafari as Prime Minister; SCIRI's Adel Abd al-Mahdi as the second deputy president; Bayan Jabr as Interior Minister, which controls the police and police commando forces; and KDP activist Hoshiyar Zebari as Foreign Minister. Chalabi and KDP activist Rosch Shaways were named as the two other deputy prime ministers. There is also one Christian and one Turkoman minister.

The Iraqi government has received some diplomatic support, even though most of its neighbors, except Iran, resent the Shiite and Kurdish domination of the regime. As of late 2005, there were 46 foreign missions in Iraq, including most European and Arab countries. At a June 22, 2005, international conference on Iraq held in Brussels, Jordan and Egypt pledged to appoint ambassadors to Baghdad. Perhaps in an effort to derail that effort, on July 2, insurgents kidnaped and killed Egypt's top diplomat in Baghdad; he was to be appointed the ambassador there. Jordan nonetheless did go forward with appointing an ambassador. On July 5, insurgents attacked and wounded Bahrain's top diplomat in Iraq. In late July, insurgents captured and killed Algeria's two highest ranking envoys in Iraq, prompting Algeria to pull out. In November, two Moroccan embassy employees were killed and Oman's embassy was shot at. In September 2005, Kuwait pledged to re-establish full diplomatic relations with the new government.

**Permanent Constitution.** The drafting and adoption on October 15, 2005, of the constitution, along with its major provisions, is discussed further in CRS Report RS21968, *Iraq: Elections, Government, and Constitution*, by Kenneth Katzman. The crux of Sunni opposition to the new constitution is its provision for a weak central government ("federalism"). The provision, placed in the constitution at the insistence of the Kurds and Shiites, whose regions have substantial oil reserves, allows groups of provinces to band together to form autonomous "regions" with their own regional governments, internal security forces, and a large role in controlling revenues from any new energy discoveries. The Sunnis oppose this concept because their region lacks oil and they depend on the central government for revenues. Despite Sunni opposition, the constitution was approved on October 15; Sunni opponents achieved a two-thirds "no" vote in two provinces but not the three needed to defeat the constitution. It takes effect after a new government is seated following the December 15 election.

U.S. officials hope that the constitution will be modified in 2006 to accommodate Sunni concerns on federalism/regionalism. Under a last-minute agreement before the October 15 referendum, the government to be formed after the December 2005 elections is to name another constitutional commission to propose

amendments to the constitution within four months of the seating of that government. The amendments require approval by an Assembly majority, and then would be put to a national referendum to be held two months later. However, in a possible sign of difficulty, SCIRI leader Hakim said on January 11, 2006, that he would not support major amendments to the constitution.

**December 15, 2005, Election.** In this election, some anti-U.S. Sunnis moved further into the political arena. That vote was also mostly peaceful, and, in contrast to the January elections, Sunni slates were offered, including a broad slate (“The Concord Front”) led by the Iraqi Islamic Party (IIP) but consisting of the Conference of Iraqi People, headed by the elderly Adnan al-Dulaymi, and the Sunni Endowment. Another Sunni slate was the Iraqi Front for National Dialogue, headed by constitution negotiator Saleh al-Mutlak. Because Sunnis voted in large numbers (over 50% Sunni turnout), the Concord slate won 44 seats and the Dialogue slate picked up 11. Final results were released in January 2006, but the results still must be court-certified to be final; that certification is expected by February 10. The December 15, 2005, election is discussed further in CRS Report RS21968, *Iraq: Elections, Government, and Constitution*, by Kenneth Katzman.

Once the “Council of Representatives” convenes, it will (within fifteen days) name a speaker. The body will then name a presidency council (with a two-thirds majority), which then has fifteen days to tap the leader of the largest bloc in the parliament as Prime Minister. That person has 30 days to name and achieve parliamentary confirmation of a cabinet (by a simple Assembly majority). On the basis of final results, the UIA won 128 seats and the Kurds 53, leaving them just short of the two-thirds of seats needed to reconstitute their bilateral governing alliance. However, minor Kurdish and Shiite blocs could put them over that threshold. Together, the Sunni slates mentioned above hold 55 seats, still not necessarily enough to win Sunnis the most senior positions in government. It is therefore unclear whether the election, and Sunni participation in it, will reduce Sunni resentment and insurgency.

**Democracy-Building and Local Governance.** The United States and its coalition partners have also been trying to build civil society and democracy at the local level. U.S. officials say Iraqis are freer than at any time in the past 30 years, with a free press and the ability to organize politically. According to a State Department report to Congress in January 2006 detailing how the FY2004 supplemental appropriation (P.L. 108-106) “Iraq Relief and Reconstruction Fund” (IRRF) is being spent (“2207 Report”): According to that report:

- About \$1.034 billion has been allocated for “Democracy Building” activities.
- About \$110 million is allocated for related “Rule of Law” programs.
- About \$159 million is allocated to build and secure courts and train legal personnel.
- About \$128 million is allocated for “Investigations of Crimes Against Humanity,” primarily former regime abuses.
- \$10 million for U.S. Institute of Peace democracy/civil society/conflict resolution activities.

- \$10 million for the Iraqi Property Claims Commission (which is evaluating Kurdish claims to property taken from Kurds, mainly in Kirkuk, during Saddam's regime).
- \$15 million to promote human rights, human rights education centers.

In addition to what is already allocated, the FY2006 regular foreign aid appropriations (conference report H.Rept. 109-265 on P.L. 109-102) provides \$56 million for democracy promotion. It incorporates a Senate amendment (S.Amdt. 1299, Kennedy) to that legislation providing \$28 million each to the International Republican Institute and the National Democratic Institute for democracy promotion in Iraq.

Run by the State Department Bureau of International Narcotics and Law Enforcement Affairs (State/INL), USAID, and State Department Bureau of Democracy, Human Rights, and Labor (DRL), some of the activities funded, aside from assistance for the various elections in Iraq in 2005, include the following.

- Several projects attempting to increase the transparency of the justice system, computerize Iraqi legal documents, train judges and lawyers, develop various aspects of law, such as commercial laws, promote legal reform, and support the drafting of the permanent constitution.
- Activities to empower local governments, policies that are receiving increasing U.S. attention and additional funding allocations from the IRRF. These programs include (1) the "Community Action Program," through which local reconstruction projects are voted on by village and town representatives. About 400 such projects have been completed thus far; (2) Provincial Reconstruction Development Committees (PRDCs) to empower local governments to decide on reconstruction priorities; and (3) Provincial Reconstruction Teams (PRTs), which are local enclaves to provide secure conditions for reconstruction, as discussed further below.
- Some of the allocated funds are for programs to empower women and promote their involvement in Iraqi politics.
- Some funds have been used for easing tensions in cities that have seen substantial U.S.-led anti-insurgency combat, including Fallujah, Ramadi, Sadr City district of Baghdad, and Mosul.



## Economic Reconstruction and U.S. Assistance<sup>33</sup>

The Administration asserts that economic reconstruction will contribute to stability, although some aspects of that effort appear to be faltering. Since September 2004, the U.S. reconstruction process has shifted resources to smaller scale projects that could be completed quickly and employ Iraqis, such as sewer lines and city roads. about 30,000 new businesses were registered in Iraq over the past year. On the other hand, as discussed extensively in a January 2006 report by the Special Inspector General for Iraq Reconstruction (SIGIR), the difficult security environment has slowed reconstruction. Even though economic reconstruction is incomplete, the Administration only requested \$479 million in Economic Support Funds (ESF) for Iraq for FY2007, mainly to help sustain infrastructure already built with U.S. funds. The Administration says that, from now on, Iraq needs to rely more on foreign donations and Iraqi government revenues to continue reconstruction work.

The primary source of U.S. reconstruction funds is the IRRF. Total funds of \$20.912 billion for the IRRF came from two supplemental appropriations (FY2003 supplemental, P.L. 108-11, which appropriated about \$2.5 billion; and the FY2004 supplemental appropriations, P.L. 108-106, which provided about \$18.44 billion). Of those funds, \$17.975 billion has been obligated, and, of that, \$12.944 billion has been disbursed as of February 1, 2006. According to the State Department, the sector allocations (for the FY2004 supplemental fund of \$18.44 billion) are

- \$5.05 billion for Security and Law Enforcement;
- \$1.251 billion for Justice, Public Safety, Infrastructure, and Civil Society;
- \$1.034 billion for Democracy;
- \$4.31 billion for Electricity Sector;
- \$1.723 billion for Oil Infrastructure;
- \$2.131 billion for Water Resources and Sanitation;
- \$470.5 million for Transportation and Communications;
- \$333.7 million for Roads, Bridges, and Construction;
- \$739 million for Health Care;
- \$800 million for Private Sector Development (includes \$352 million for debt relief for Iraq);
- \$383 million for Education, Refugees, Human Rights, Democracy, and Governance (includes \$99 million for education); and
- \$213 million for USAID administrative expenses.

As noted above, the conference report on the FY2006 foreign aid appropriation provides \$56 million in democracy promotion funds and an additional \$5 million. (As discussed below, the FY2005 supplemental appropriation (P.L. 109-13) provided an additional \$5.7 billion for the Iraqi Security Forces; those funds have not been allocated yet.)

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<sup>33</sup> For more detailed information on U.S. spending and economic reconstruction, see CRS Report RL31833, *Iraq, Recent Developments in Reconstruction Assistance*, by Curt Tarnoff.

**The Oil Industry.** As the driver of Iraq's economy, the rebuilding of the oil industry has received substantial U.S. attention, but oil exports appear to be at a new post-Saddam low in early 2006. Before the war, it was widely asserted by Administration officials that Iraq's vast oil reserves, believed second only to those of Saudi Arabia, would fund much, if not all, reconstruction costs. The oil industry infrastructure suffered little damage during the U.S.-led invasion (only about nine oil wells were set on fire), but it has become a target of insurgents. Insurgents have particularly focused their attacks on pipelines in northern Iraq; those lines feed the Iraq-Turkey oil pipeline that is loaded at Turkey's Mediterranean port of Ceyhan. This has kept production and exports below expected levels, although high world oil prices have been, at least until now, more than compensating for the output shortfall. The United States imports about 660,000 barrels per day of crude oil from Iraq. The Iraqi government needs to import refined gasoline because it lacks sufficient refining capacity. Lines for gasoline often last many hours, although the government said in February 2006 it will gradually reduce gas subsidies, allowing gas prices to rise. Because of rising prices, Oil Minister Bahr-Ulum again resigned in January 2006 and was replaced by Hashim al-Hashimi of the pro-Sadr *Fadila* party.

**Table 1. Some Key Indicators**

Oil						
Oil Production	Oil Production (pre-war)	Oil Exports	Oil Export s (pre-war)	Oil Revenue (2004)	Oil Revenue (2005)	Oil Revenue (2006 (to date)
1.43 million barrels per day (mbd)	2.5 mbd	0.92 mbd	2.2 mbd	\$17 billion	\$23.5 billion	\$1.4 billion
Electricity						
Pre-War (MWh)	Current	Baghdad (hrs. per day, 1/06)	National Average (hrs. per day)			
102,000	88,000	5.1	9.3			
Other Economic Indicators						
GDP Growth Rate (2006 anticipated by IMF)			10.6%			
GDP	\$18.4 billion (2002)		\$29.3 billion (2005)			
New Businesses Begun Since 2003			30,000			

**Note:** Figures in the table are provided by the State Department "Iraq Weekly Status Report" dated February 1, 2006. Oil export revenue is net of a 5% deduction for reparations to the victims of the 1990 Iraqi invasion and occupation of Kuwait, as provided for in U.N. Security Council Resolution 1483 (May 22, 2003). That 5% deduction is paid into a U.N. escrow account controlled by the U.N. Compensation Commission to pay judgments awarded.

A related issue is long-term development of Iraq's oil industry and which foreign energy firms, if any, might receive preference for contracts to explore Iraq's vast reserves. Russia, China, and others are said to fear that the United States will seek to develop Iraq's oil industry with minimal participation of firms from other countries. Iraq's interim government has contracted for a study of the extent of Iraq's oil reserves, and it has contracted with Royal Dutch/Shell to formulate a blueprint to develop the gas sector. Poland reportedly is negotiating with Iraq for possible investments in Iraq's energy sector. In December 2005, it was reported that a Norwegian company, DNO, has contracted with the Kurdish administrative region to explore for oil near the northern city of Zakho, raising the concerns of Iraq's Arabs who view this as a move by the Kurds to control some Iraqi oil revenues.

**International Donors.** A World Bank estimate, released in October 2003, said Iraq reconstruction would require about \$56 billion during 2004-2007, including \$21 billion in U.S. pledges. At an October 2003 donors' conference in Madrid, donors pledged about \$13.5 billion, including \$8 billion from foreign governments and \$5.5 billion in loans from the World Bank and IMF. Of the funds pledged by other foreign governments, about \$3.2 billion has been disbursed as of December 2005, according to the January 2006 "2207 Report." Included in that figure is about \$436 million in International Monetary Fund (IMF) loans, which were disbursed in 2004 after Iraq cleared up \$81 million in Saddam-era arrears to the IMF.

**The U.S. Military and Reconstruction/CERP Funds.** The U.S. military has attempted to promote reconstruction to deprive the insurgency of popular support. A key tool in this effort is the funding of small projects to promote trust among the population. Called the Commanders Emergency Response Program (CERP), the DOD funds are controlled and disbursed by U.S. commanders at the tactical level. The total amount of CERP funds for Iraq available thus far are \$718 million in FY2005 funds and \$140 million in FY2004 funds. The FY2006 Defense appropriation (P.L. 109-148) provides up to another \$500 million in CERP funds. A similar program began in October 2004, called the Commander's Humanitarian Relief and Reconstruction Projects (CHHRP). About \$86 million in IRRF funds has been allocated for this program, mostly for water and sewage repairs in Sunni areas.

**Lifting U.S. Sanctions.** The Bush Administration has lifted most U.S. sanctions on Iraq, beginning with Presidential Determinations issued under authorities provided by P.L. 108-7 (appropriations for FY2003) and P.L. 108-11 (FY2003 supplemental):

- On July 30, 2004, President Bush issued an executive order ending a trade and investment ban imposed on Iraq by Executive Order 12722 (August 2, 1990) and 12724 (August 9, 1990), and reinforced by the Iraq Sanctions Act of 1990 (Section 586 of P.L. 101-513, November 5, 1990 (following the August 2, 1990 invasion of Kuwait.) The order did not unblock Iraqi assets frozen at that time.
- On September 8, 2004, the President designated Iraq a beneficiary of the Generalized System of Preferences (GSP), enabling Iraqi products to be imported to the United States duty-free.

- On September 24, 2004, Iraq was removed from the U.S. list of state sponsors of terrorism under Section 6(j) of the Export Administration Act (P.L. 96-72). Iraq is thus no longer barred from receiving U.S. foreign assistance, U.S. votes in favor of international loans, and sales of arms and related equipment and services. Exports of dual use items (items that can have military applications) are no longer subject to strict licensing procedures.<sup>34</sup>
- The FY2005 supplemental (P.L. 109-13) removed Iraq from a named list of countries for which the United States is required to withhold a proportionate share of its voluntary contributions to international organizations for programs in those countries.

**Debt Relief/WTO Membership.** The Administration is attempting to persuade other countries to forgive Iraq's debt built up during the regime of Saddam Hussein. The debt is estimated to total about \$116 billion, not including reparations dating to the first Persian Gulf war. On November 21, 2004, the "Paris Club" of 19 industrialized nations agreed to cancel about 80% of the \$39 billion Iraq owes them. However, with the exception of Kuwait, the Persian Gulf states that supported Iraq during the Iran-Iraq war have not to date firmly agreed to write-off Iraq's approximately \$50 billion in debt to those countries (Saudi Arabia, Kuwait, United Arab Emirates, and Qatar). On December 17, 2004, the United States signed an agreement with Iraq writing off 100% of Iraq's \$4.1 billion debt to the United States; that debt consisted of principal and interest from about \$2 billion in defaults on Iraqi agricultural credits from the 1980s.<sup>35</sup> On December 13, 2004, the World Trade Organization (WTO) agreed to begin accession talks with Iraq.

## Security Challenges, Responses, and Options

In a series of speeches in late 2005, President Bush cited successful elections and the growth of the Iraqi security forces to assert that U.S. policy will produce a stable Iraq. However, the insurgency continues apparently unabated, and increasing sectarian-motivated violence is adding complexity to the security challenges facing U.S. Iraq policy.

### The Insurgent Challenge

The Sunni Arab-led insurgency against U.S. and Iraqi forces has defied most U.S. expectations in intensity and duration. Although hesitant to assess the size of the insurgency, U.S. commanders say that insurgents probably number approximately

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<sup>34</sup> A May 7, 2003, executive order left in place the provisions of the Iran-Iraq Arms Non-Proliferation Act (P.L. 102-484); that act imposes sanctions on persons or governments that export technology that would contribute to any Iraqi advanced conventional arms capability or weapons of mass destruction programs.

<sup>35</sup> For more information, see CRS Report RS21765, *Iraq: Debt Relief*, by Martin Weiss.

12,000-20,000. Some Iraqi (intelligence) officials have publicly advanced higher estimates of about 40,000 active insurgents, helped by another 150,000 persons in supporting roles. About 15,000 suspected insurgents are now in prison in Iraq. Insurgent attacks numbered about 100 per day during most of 2005, but some U.S. commanders say that number has fallen to about 65 attacks per day in early 2006.

As discussed in the Administration's "National Strategy for Victory in Iraq" (November 30, 2005), many of the insurgents are motivated by opposition to perceived U.S. rule in Iraq, to democracy, and to Shiite rulership. Others want to bring the Baath Party back into power, although, according to many experts, some might settle for a large Sunni role in governance with or without the Baath. Still others are pro-Al Qaeda fighters, either foreign or Iraqi, that want to defeat the United States and spread radical Islam throughout the region. The following are some major Iraqi (not foreign) insurgent factions:

- The Islamic Army of Iraq. An Iraqi group that conducts a wide range of attacks and has captured several Western hostages.
- Muhammad's Army. This faction is said to be led by radical Sunni cleric Abdullah al-Janabi, who is from Fallujah.
- The Al Haq Army. Active in and around Ramadi.
- The 1920 Revolution Brigades. Has seized some foreign hostages.

The insurgent groups, believed to be loosely coordinated at the city or province level, have failed to derail the political transition.<sup>36</sup> However, they have succeeded, to some extent, in painting the Iraqi government as dependent on the United States for its survival. Targets include not only U.S. forces and Iraqi officials and security forces but also Iraqi civilians working for U.S. authorities, foreign contractors and aid workers, oil export and gasoline distribution facilities, and water, power, and other infrastructure facilities. U.S. officials testified before the Senate Foreign Relations Committee on February 8, 2006, that insurgents attacks had caused major disruption to the U.S. economic reconstruction effort and kept most indicators of reconstruction progress (water, power, oil, etc) below pre-war levels. The U.N. Security Council has adopted the U.S. interpretation of the insurgency — on August 4, 2005, it adopted Resolution 1618, condemning the "terrorist attacks that have taken place in Iraq," including attacks on Iraqi election workers, constitution drafters, and foreign diplomats in Iraq.

***Sunni Clerics and Political Relations with the Insurgency.*** Many Iraqi insurgents appear to have contacts with a network of Sunni Islamist clerics or politicians that oppose the U.S. presence and have not participated in any governing structures. These clerics belong to an organization called the Muslim Scholars (MSA), which claims to represent 3,000 Sunni mosques countrywide. The MSA is led by Harith al-Dhari, who heads the large Umm al-Qura mosque in Baghdad, and Abd al-Salam al-Qubaysi, leader of the Abu Hanifa mosque in Baghdad. The MSA

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<sup>36</sup> For further information, see Baram, Amatzia. "Who Are the Insurgents?" U.S. Institute of Peace, Special Report 134, Apr. 2005; and Eisenstadt, Michael and Jeffrey White. "Assessing Iraq's Sunni Arab Insurgency." Washington Institute for Near East Policy, Policy Focus No. 50, Dec. 2005.

has, on occasion, succeeded in persuading insurgent groups to release Western or other hostages. It urged a boycott of the January 2005 elections and a “no” vote on the constitution, although it did not urge a Sunni boycott of the December 15 election. In a sign of possible moderation, Dhari and Qubaysi attended the November 2005 Conference on Iraq in Cairo with other Iraqi factions, although they achieved inclusion in the conference final communique the assertion that “resistance is legitimate” and a call for a timetable for U.S. withdrawal.<sup>37</sup> On the other hand, suggesting that the MSA is actively assisting insurgents, U.S. forces raided the Umm al-Qura mosque in early January 2006 reportedly investigating allegations that terrorist attacks were being planned there.

**Foreign Insurgents/Zarqawi.**<sup>38</sup> A relatively small but important component of the insurgency are non-Iraqi fighters. A study by the Center for Strategic and International Studies released in September 2005 said that about 3,500 foreign fighters are in Iraq, which would represent just under 20% of the overall insurgency if the U.S. military estimate of 20,000 total insurgents is correct. According to the study, the foreign fighters come mostly from Algeria, Syria, Yemen, Sudan, Saudi Arabia, and Egypt, with Saudis constituting only about 350 of the 3,000 estimated foreign fighters. The Department of Defense said on October 20, 2005, that 312 foreign fighters had been captured in Iraq since April 2005.

A major portion of the foreign insurgent contingent is commanded by Abu Musab al-Zarqawi, a 40-year-old Jordanian Arab who reputedly fought in Afghanistan during the 1980s alongside other Arab volunteers against the Soviet Union. Zarqawi came to Iraq in late 2001, along with several hundred associates, after escaping the U.S. war effort in Afghanistan. He made his way to northern Iraq, after transiting Iran and Saddam-controlled Iraq, eventually taking refuge with a Kurdish Islamist faction called Ansar al-Islam<sup>39</sup> near the town of Khurmal.<sup>40</sup> His group occasionally clashed with PUK fighters around nearby Halabja. After the Ansar enclave was destroyed in Operation Iraqi Freedom, Zarqawi fled to the Sunni Arab areas of Iraq and began using other organizational names, including the Association of Unity and Jihad. Since then, as he has affiliated with bin Laden, he has changed his organization’s name to “Al Qaeda Jihad in Mesopotamia.” It is named as an Foreign Terrorist Organization (FTO), assuming that designation from the earlier Unity and Jihad organizational title,<sup>41</sup> which was designated as an FTO in

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<sup>37</sup> Text of final statement of the conference is online at [[http://www.almendhar.com/english\\_7873?news.aspx](http://www.almendhar.com/english_7873?news.aspx)].

<sup>38</sup> See CRS Report RL32217, *Iraq and Al Qaeda: Allies or Not?*, by Kenneth Katzman.

<sup>39</sup> Ansar al-Islam originated in 1998 as a radical splinter faction of a Kurdish Islamic group called the Islamic Movement of Iraqi Kurdistan (IMIK). Based in Halabja, the IMIK publicized the effects of Baghdad’s Mar. 1988 chemical attack on that city. Ansar is named by the State Department as a Foreign Terrorist Organization (FTO).

<sup>40</sup> Chivers, C.J. “Repulsing Attack By Islamic Militants, Iraqi Kurds Tell of Atrocities,” *New York Times*, Dec. 6, 2002.

<sup>41</sup> In early 2004, U.S. forces captured a letter purportedly written by Zarqawi asking bin Laden’s support for Zarqawi’s insurgent activities in Iraq and an Islamist website broadcast (continued...)

October 2004. Press reports said that U.S. forces almost caught him near Ramadi in February 2005, and his aides posted web messages that he was seriously wounded in a subsequent U.S. raid but then regained health.

Zarqawi's faction has been the subject of substantial U.S. counter-efforts because of its alleged perpetration of "terrorist" attacks — suicide and other attacks against both combatant and civilian targets. Some of the attacks attributed to this faction include the bombings in Baghdad of U.N. headquarters at the Canal Hotel (August 19, 2003)<sup>42</sup> and the August 2003 bombing that killed SCIRI leader Mohammad Baqr Al Hakim. The group, and related factions, have also kidnaped a total of over 250 foreigner workers, and killed about 40 of those. There is some speculation that Zarqawi's faction, or a related group, might have committed the August 19, 2005, failed rocket attack in the Jordanian port of Aqaba against two U.S. warships docked there, as well as the November 10, 2005, Western-owned hotels in Amman, Jordan. Increasingly, the group has been targeting Iraqi Shiite festivals and ceremonies, most likely hoping to provoke civil conflict between Sunnis and Shiites; in September 2005, Zarqawi declared war on Iraq's Shiites, according to a website attributed to his followers. However, this tactic reportedly has caused tensions and occasional armed clashes with Iraqi insurgent factions that oppose attacks on purely civilian targets. U.S. forces have sought to exploit these differences by attempting to engage Iraqi insurgent factions and persuade them to cooperate with U.S. efforts against the foreign fighters, reportedly with some success.<sup>43</sup>

An offshoot of Zarqawi's group is called "Ansar al-Sunna," or Partisans of the Traditions [of the Prophet]. This group reportedly blends both foreign volunteers and Iraqi insurgents. Ansar al-Sunna claimed responsibility for the December 21, 2004, attack on Camp Marez in Mosul that killed 22, including 14 U.S. soldiers, and has been responsible for several subsequent attacks particularly in the Mosul area.

**Outside Support.** Numerous accounts say that insurgent leaders are using Syria as a base to funnel money and weapons to their fighters in Iraq.<sup>44</sup> In September 2005, U.S. ambassador Khalilzad publicly accused Syria of allowing training camps in Syria for Iraqi insurgents to gather and train before going into Iraq. These reports have led to U.S. warnings to and imposition of additional U.S. sanctions against Syria and to the U.S. Treasury Department's blocking of assets of some suspected financiers of the insurgency. Syria has tried to deflect the criticism by moves such

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<sup>41</sup> (...continued)

a message in October 2004, reportedly deemed authentic by U.S. agencies, that Zarqawi has formally allied with Al Qaeda. There have also been recent press reports that bin Laden has asked Zarqawi to plan operations outside Iraq. For text, see [<http://www.state.gov/p/nea/rls/31694.htm>].

<sup>42</sup> Among the dead in the latter bombing was the U.N. representative in Iraq, Sergio Vieira de Mello, and it prompted an evacuation of U.N. personnel from Iraq.

<sup>43</sup> Filkins, Dexter and Sabrina Tavernise. U.S. Said to Meet With Insurgents, Exploiting Rifts. *New York Times*, Jan. 7, 2006.

<sup>44</sup> Blanford, Nicholas. "Sealing Syria's Desolate Border," *Christian Science Monitor*, Dec. 21, 2004.

as the February 2005 turnover of Saddam Hussein's half-brother Sabawi to Iraqi authorities. Other assessments say the insurgents, both Iraqi and non-Iraqi, receive funding from wealthy donors in neighboring countries such as Saudi Arabia,<sup>45</sup> where a number of clerics have publicly called on Saudis to support the Iraqi insurgency. On the other hand, in January 2006 senior U.S. commanders said they had been receiving increased cooperation from Syria and Saudi Arabia to prevent insurgent flows across those borders.

Defense Secretary Rumsfeld confirmed in August 2005 that some explosives from Iran had been intercepted in Iraq, although he did not assert that the shipment was authorized by Iran's government. Others believe that outside support is minimal and that the insurgents have ample supplies of arms and explosives obtained from the nearly 250,000 tons of munitions remaining around Iraq in arms depots not immediately secured after the regime fell. For more information, see CRS Report RS22323, *Iran's Influence in Iraq*, by Kenneth Katzman.

## Sectarian Violence/Militias

The security picture in Iraq has become more multi-dimensional. Increasingly, violence in Iraq is sectarian — primarily Sunni Arab against Shiite Arabs and vice versa — rather than purely Sunni Arab (foreign and Iraqi) insurgents versus U.S. and Iraqi government forces. This has led some experts to assert that Iraq is already experiencing a low level civil war.

Since mid-2005, there are an increasing number of reports of attack and retaliation between Sunni Arabs and Shiite Arabs. On numerous occasions recently, bodies of groups of Sunni or Shiite civilians have been found in various locations, bound and gagged, and dumped in rivers or fields. Shiite leaders have blamed the attacks on Sunni insurgents, and as noted above, the foreign insurgent factions (who are Sunnis) have openly used civilian attacks as part of a deliberate, announced strategy to oppose the United States and the Shiite-dominated Iraqi government.

The sectarian violence is highly complicated because the Sunnis are blaming the Shiites and Kurds for using their control over the emerging security forces — as well as their party-based militias — to retaliate and repress Sunnis. Sunnis report that Shiite militiamen who have joined the security forces are raiding Sunni homes or using their arrest powers to abduct Sunnis, some of whom later show up killed. Sunnis hold U.S. forces partly responsible for the violence because U.S. forces built the Iraqi security forces and have allowed the Shiite and Kurdish militias to continue to operate. On February 8, 2006, SCIRI leader Hakim called on the security forces to pay more consideration to human rights, an apparent nod to Sunni complaints.

Some, but not all, Sunni leaders have spoken out against Sunni insurgent violence against Shiite civilians. To counter the Shiite-led violence, Sunni Arabs openly announced formation of a militia, the *Anbar Revolutionaries*, to guard against

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<sup>45</sup> Krane, Jim. "U.S. Officials: Iraq Insurgency Bigger." Associated Press report published in the Philadelphia Inquirer. July 9, 2004; Schmitt, Eric, and Thom Shanker. "Estimates By U.S. See More Rebels With More Funds," *New York Times*, Oct. 22, 2004.



Shiite and Kurdish sectarian attacks. In some cases, Sunni insurgents have even assassinated Sunni politicians who have negotiated with Shiite leaders or urged joining the political process. One such politician, the leader of the Fallujah city council, was gunned down on February 7, 2006.

The major Shiite militia that is believed to be carrying out anti-Sunni violence is SCIRI's "Badr Brigades." The Kurds' *peshmerga* and Sadr's Mahdi Army have also been accused of some sectarian violence and human rights abuses.

- *Kurdish Peshmerga.* Together, the KDP and PUK may have as many as 100,000 *peshmergas* (fighters), most of whom are operating as unofficial security organs in northern Iraqi cities. Some are integrated into the Iraqi Security Forces (ISF) and deploy in such cities as Mosul and Baghdad. Kurdish ISF units reportedly were a major component of the ISF forces that fought alongside U.S. forces in offensives at Tal Affar in September 2005. Peshmerga units have sometimes fought each other; in May 1994, the KDP and the PUK clashed with each other over territory, customs revenues, and control over the Kurdish regional government in Irbil.
- *Badr Brigades.* The militia of SCIRI numbers about 20,000 and is led by Hadi al-Amiri (a member of the National Assembly). The Badr Brigades were formed, trained, and equipped by Iran's Revolutionary Guard, politically aligned with Iran's hardliners, during the Iran-Iraq war, during which Badr guerrillas conducted forays from Iran into southern Iraq to attack Baath Party officials. Most Badr fighters were recruited from the ranks of Iraqi prisoners of war held in Iran. However, many Iraqi Shiites viewed SCIRI as an Iranian puppet, and Badr operations in southern Iraq during the 1980s and 1990s did not spark broad popular unrest against the Iraqi regime. The Badr Organization registered as a separate political entity, in addition to its SCIRI parent, for the January 30 election and the December 15 election.
- Badr militiamen play unofficial policing roles in Basra, Najaf, and elsewhere in southern Iraq, and many Badr members also reputedly are in the ISF, particularly the police, which is led by the SCIRI-dominated Interior Ministry. A related militia, called the "Wolf Brigade" is a Badr offshoot that is formally part of the police. It is also led by a SCIRI activist. Sunni charges of Badr "death squads" activities gained strength on November 16, 2005, with the discovery by U.S. forces of a secret Ministry of Interior detention facility. The facility, allegedly run by Badr militiamen, housed 170 Sunni Arab detainees who allegedly were tortured. At least two other such facilities, run by the Wolf Brigade, were uncovered in December 2005. In another example of militia strength, on August 9, 2005, Badr fighters reportedly helped SCIRI member Hussein al-Tahaan forcibly replace Ali al-Tamimi as mayor of Baghdad.

- *Mahdi Army.* The size of Sadr's Mahdi Army militia is unknown, but it is re-gaining strength since U.S. military operations put down Mahdi uprisings in April 2004 and August 2004 in Sadr City. In each case, fighting was ended with compromises under which Mahdi forces stopped fighting (and in some cases traded in some of their weapons for money) in exchange for lenient treatment or releases of prisoners, amnesty for Sadr himself, and reconstruction aid. The Mahdi Army has since ended active anti-U.S. combat and Sadr City has been relatively peaceful, but Mahdi fighters, reportedly with the tacit approval of U.S. forces, continue to patrol that district and parts of other Shiite cities, particularly Basra. Mahdi (and Badr) assertiveness in Basra has partly accounted for a sharp deterioration of relations since July 2005 between Iraqi officials in Basra and the British forces based there. About 11 British soldiers have died in attacks in that area since then, and in October 2005, British Prime Minister Tony Blair publicly blamed Iran for arming Iraqi groups, particularly the Mahdi Army, responsible for the soldiers' deaths. In one dispute, British forces forcibly rescued British special forces soldiers taken into official custody in Basra. Mahdi and Badr forces have occasionally clashed as well, most recently in October 2005.

## U.S. Efforts to Restore Security

At times, such as after the capture of Saddam Hussein in December 2003 and after both elections in 2005, some U.S. officials have expressed optimism that the insurgency would subside, only to see it continue. As outlined in the "National Strategy for Victory in Iraq," the Administration continues to try to refine its stabilization strategy. As part of that refinement, the Administration is increasingly focused on bringing Sunnis into the political process.

**"Clear, Hold, and Build" Strategy.** The Administration is now pursuing a strategy called "clear, hold, and build," intended to create and expand stable enclaves by positioning Iraqi forces and U.S. civilian reconstruction experts in areas cleared of insurgents. The strategy is intended to prevent re-infiltration by insurgents as well as to build hope among the Sunni population for improved conditions. In conjunction with the new U.S. strategy, the Administration is forming Provincial Reconstruction Teams (PRTs). The PRTs, adapted from a concept used in Afghanistan, will be composed of about 70 to 100 U.S. diplomats and military personnel to assist local Iraqi governing institutions, such as the provincial councils (elected in the January 2005 elections), representatives of the Iraqi provincial governors, and local ministry representatives. Thus far, three PRTs have been inaugurated (Mosul, Kirkuk, and Hilla) by converting local U.S. embassy enclaves into PRTs. A total of 16 PRTs (nearly one per province) are planned by July 2006. However, as reported in the *Washington Post* on January 15, 2006, the concept has run into some reported difficulty over U.S. military objections to taking on expanded missions at a time when it is trying to draw down its force. Recommendations on how to proceed with the PRTs are expected to be forwarded from U.S. Ambassador Khalilzad and the senior U.S. commander in Iraq, General George Casey, to Administration officials in Washington, D.C. in February 2006.

**U.S. Counter-Insurgent Combat Operations.** The U.S. stabilization strategy requires continued combat operations against the insurgency. About 138,000 U.S. troops are in Iraq (down from 160,000 there during the December election period), with about another 50,000 troops in Kuwait and the Persian Gulf region supporting OIF, and another 21,000 coalition partner forces in Iraq from 26 other countries. In a January 4, 2006, speech, President Bush confirmed reports that U.S. troop levels would be reduced in early 2006 to about 135,000. Parts of two U.S. brigades will not deploy.

A major focus of U.S. combat remains Anbar Province, which includes the cities of Fallujah and Ramadi. About 40,000 U.S. troops are in Anbar alone. In April 2004, after the city fell under insurgent control (it was run by a “mujahedin shura,” or council of insurgents), U.S. commanders contemplated routing insurgents from the city but, concerned about collateral damage and U.S. casualties, they agreed to allow former Iraqi officers to patrol it. This solution quickly unraveled and, as 2004 progressed, about two dozen other Sunni-inhabited towns, including Baqubah, Balad, Tikrit, Mosul, Ramadi, Samarra, and Tal Affar, as well as the small towns south of Baghdad, fell under insurgent influence.

U.S. forces, joined by Iraqi forces, began operations in September 2004 to expel insurgents. Most notable was “Operation Phantom Fury” on Fallujah (November 2004), involving 6,500 U.S. Marines and 2,000 Iraqi troops. Since then, over two thirds of the city’s 250,000 have now returned, and some reconstruction has taken place there. However, insurgents reportedly have re-infiltrated the city and U.S. casualties continue in or near Fallujah. In the run-up to the December 15 elections, U.S. (and Iraqi) forces conducted operations (for example Operations Matador, Dagger, Spear, Lightning, Sword, Hunter, Steel Curtain, and Ram) to clear contingents of foreign fighters and other insurgents from Sunni cities along the Euphrates River. A major focus was to combat foreign fighters that entered Iraq near the towns of Qaim, Husaybah, and Ubaydi, and had filtered down the Euphrates valley to Ramadi, Hit and Haditha, or north into Tal Affar.

**Casualties.** As of February 8, 2006, about 2,260 U.S. forces and about 200 coalition partner soldiers have died in OIF, as well as over 100 U.S. civilians working on contract to U.S. institutions in Iraq. Of U.S. deaths, about 2,120 have occurred since President Bush declared an end to “major combat operations” in Iraq on May 1, 2003, and about 1,780 of the U.S. deaths were by hostile action. About 2,000 members of the Iraqi Security Forces, which are analyzed below, have been killed in action, to date. On December 12, 2005, President Bush cited press accounts that about 30,000 Iraqi civilians have been killed to date.

## Building Iraqi Security Forces (ISF)<sup>46</sup>

A major pillar of U.S. policy is to equip and train Iraqi security forces (ISF) that could secure Iraq by themselves. President Bush stated in his June 28, 2005 speech, “Our strategy can be summed up this way: As the Iraqis stand up, we will stand down.”<sup>47</sup> The conference report on the FY2005 supplemental appropriation (P.L. 109-13) required a Defense Department report to Congress on securing Iraq, particularly the building of the ISF. The most recent such report, released October 2005, entitled “Measuring Stability and Security in Iraq,” generally reiterates U.S. official statements of progress in Iraq and contains details of the training of the ISF.

The Department of Defense reports that, as of February 1, 2006, there are 227,300 total members of the ISF: 106,900 “operational” military forces under the Ministry of Defense and 120,400 police/commando forces “trained and equipped” under the Ministry of Interior. Those in units are organized into about 125 battalions. The total force goal is 325,000 ISF by August 2007. However, police figures include possibly tens of thousands (according to the GAO on March 15, 2005) who are absent-without-leave or might have deserted. The police generally live with their families, rather than in barracks, and are therefore hard to account for.

The readiness of the ISF are subject to debate. In October 2005, U.S. commanders clarified their assessments of readiness of these forces as follows (each battalion has about 700 personnel):

- Battalions in Category One (fully independent): 1 (military only, down from 3 reported at this level in June 2005);
- Battalions in Category Two (Iraqi unit capable of taking the lead in operations): 45 (43 military and 2 police commando battalions);
- Battalions in Category Three: (Iraqi unit capable of fighting alongside U.S./partner forces): 80 (54 military and 26 police battalions); and
- Category Four: unit not yet formed.

By these measures, about 35,000 ISF (both military and police) are “in the lead” or fully independent. U.S. officials and reports praise their performance in each of the three election days in 2005. U.S. commanders also cite as evidence of their growing confidence the September 2005 offensive in Tal Afar in which Iraqi units were in the lead, although some outside accounts call that assessment into question. According to the State Department, U.S. and partner forces have now turned over 33 of 111 “forward operating bases” to the ISF, and the ISF control 90 square miles of Baghdad. In August 2005, U.S. commanders turned over full control of the city of Najaf to the ISF. On January 26, 2006, the entire provinces of Wasit and Diwaniyah were turned over to ISF control. Parts of southern Mosul and even parts of the “Green Zone” in Baghdad were turned over subsequently.

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<sup>46</sup> For additional information, see CRS Report RS22093, *Iraq’s New Security Forces: The Challenge of Sectarian and Ethnic Influences*, by Jeremy Sharp.

<sup>47</sup> Speech by President Bush can be found at [<http://www.whitehouse.gov/news/releases/2005/06/print/20050628-7.html>].

However, U.S. commanders and outside observers say that the ISF continue to lack an effective command structure, independent initiative, or commitment to the mission, and that it could fragment if U.S. troops draw down.<sup>48</sup> U.S. commanders have told journalists recently that it is common for half of an entire ISF unit to desert or refuse to undertake a specified mission.<sup>49</sup> U.S. commanders said in October 2005 that the ISF is still 18 months to two years away from being able to operate independently. A report on the Iraqi police by the offices of the Inspector General of the State and Defense Departments, released July 15, 2005, said that many recruits are only marginally literate, and some recruits are actually insurgents trying to infiltrate the ISF (p.3).<sup>50</sup> As an indicator of continued difficulties, in late December 2005, the U.S. military refused to turn over control of central Baghdad to an ISF brigade (5<sup>th</sup> Brigade) until the Iraqi government approved the appointment of the (Sunni) leader of that brigade that U.S. officers considered qualified.

Another major issue is ethnic balance; U.S. commanders have acknowledged difficulty recruiting Sunni Arabs into the ISF and have said this is a deficiency they are trying to correct. Most of the ISF are Shiites, with Kurdish units mainly deployed in the north of Iraq. Almost all Iraqi units are of a single ethnicity, and there are few integrated units. As discussed above, many Sunnis see the ISF as mostly Shiite and Kurdish instruments of repression. Partly in an attempt to address that perception, during 2004, the United States and Iraq conducted some “emergency recruitment” of former Saddam military units, mostly Sunni ex-Baathists. These units, one of which — a police commando brigade — is led by Saddam-era air force intelligence officer Adnan Thabit, have stiffened some security operations but have also provoked threats by Shiite and Kurdish leaders, who fear a future Ba’th coup. Sunnis have also been recruited to rebuild police forces in Mosul and Fallujah, which virtually collapsed in 2004.

As a result of the deficiencies of the ISF, in 2005 the U.S. military, based on recommendations by Gen. Gary Luck, shifted up to 10,000 U.S. forces in Iraq to embedding with Iraqi units (ten-person teams per Iraqi battalion), a trend that U.S. officials say will continue in 2006. The embedding concept will be expanded in the police forces as well in 2006, with 2,000 additional U.S. personnel to be embedded with police commando units. The police embeds will not only promote discipline and command abilities but help curb abuses against Sunnis and other human rights abuses.

**ISF Funding.** The accelerated training and equipping of the Iraqis is a key part of U.S. policy. Maj. Gen. David Petraeus first oversaw the training of the ISF as head of the Multinational Security Transition Command-Iraq (MNSTC-I).<sup>51</sup> On September 8, 2005, he was replaced by Maj. Gen. Martin Dempsey. The

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<sup>48</sup> Fallows, James. “Why Iraq Has No Army.” *Atlantic Monthly*, Dec. 2005.

<sup>49</sup> Castaneda, Antonio. “Iraqi Desertions Complicate U.S. Mission.” *Associated Press*, January 31, 2006.

<sup>50</sup> Inspectors General. U.S. Department of State and U.S. Department of Defense. *Interagency Assessment of Iraqi Police Training*. July 15, 2005.

<sup>51</sup> For more information on this mission, see [<http://www.mnstci.iraq.centcom.mil/>].

Administration has been shifting much U.S. funding into this training and equipping mission; according to the State Department, a total of \$5.05 billion in IRRF funds has been allocated to build (train, equip, provide facilities for, and in some cases provide pay for) the ISF. Of those funds, \$4.79 billion has been obligated as of February 1, and \$4.18 billion of that has been disbursed. As noted above, the FY2005 supplemental appropriation (P.L. 109-13) provided an additional \$5.7 billion to equip and train the ISF, funds to be controlled by the Department of Defense and provided to MNSTC-I. When spent, that would bring total ISF funding to \$11 billion. The IRRF funds have been allocated thus far as follows:

**ISF Components.** The following, based on Administration reports from May 2005, are the status of the major Iraqi security institutions.<sup>52</sup>

**Ministry of Defense/Military Forces.** The following forces are considered military forces, under the control of the Ministry of Defense.

- *Iraqi Army.* The CPA formally disbanded the former Iraqi army following Bremer's arrival in Baghdad; the outcome of that move is still being debated. There are about 105,600 Army personnel, organized as nine infantry divisions and one mechanized division. They comprise 80 battalions, or about 55,000 personnel, at the first three levels of readiness (capable of operating alongside U.S. forces or better). The remaining 50,000 are not in formed units yet. Recruits are paid \$60 per month and receive eight weeks of training. Of IRRF funds, \$1.097 billion is allocated for Army facilities; \$707 million is for equipment; and \$656 million for training, personnel, and operations.
- *The Iraqi Intervention Force,* another military force, is divided into four brigades (perhaps about 3,000 personnel, included in "Army" total ) trained and equipped. Recruits receive thirteen weeks of basic and urban operations training.
- *Special Operations Forces.* These forces, included in "Army" total, consist of "Iraqi Counter Terrorist Forces" (ICTF) and a "Commando Battalion." The forces are given 12 weeks of training, mostly by Jordanian officers in Jordan. The Defense Department says that there are 1,300 of these forces as of October 2005.
- In the fall of 2005, MNSTC-I formed four "Strategic Infrastructure Battalions" (about 3,000 personnel) to protect oil pipelines, electricity infrastructure, and other facilities.
- *Air Force.* Personnel has largely reached its goal of 500, manning four squadrons. Because the Saddam-era air force was destroyed in

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<sup>52</sup> Most of the information in this section comes from State Department weekly summaries on Iraq. Numbers of some ISF categories are openly reported, but some specific categories are classified and can only be estimated from open sources.

the various wars with the United States, the new Air Force only flies nine helicopters, three C-130s, and 14 propeller observation aircraft. The UAE has said it would supply the Iraqi Air Force with some additional unspecified combat aircraft, and Jordan is considering providing 12 UH-1 helicopters. About \$28 million in IRRF funds was allocated for Iraqi Air Force airfields (of those funds for the Iraqi Army, above). Pilots undergo up to six months of training.

- *Navy.* This service has 800 operational personnel, roughly its target size. It has a “Patrol Boat Squadron” and a “Coastal Defense Regiment.” It is equipped with five patrol boats, with six more to be delivered, 24 Fast Aluminum Boats to patrol Iraq’s waterways (out to the 12-mile international water boundary in the Persian Gulf) to prevent smuggling and infiltration. In March 2005, it took control of its own naval base at Umm Qasr and, as of July 2005, U.S. Navy personnel have turned over responsibility for Iraq’s Basrah port and Khor Al Amaya oil terminals. The Royal Australian Navy is training some of the Iraqi navy personnel.
- *Military Training.*<sup>53</sup> U.S. training takes place at Taji, north of Baghdad; Kirkush, near the Iranian border; and Numaniya, southeast of Baghdad. All 26 NATO countries are participating in the NATO Training Mission-Iraq (NTM-I),<sup>54</sup> which open a new headquarters in September 2005 at Rustamiya, near Baghdad. As of September 2005, 151 NATO trainers are in Iraq, according to NATO officials in Baghdad, with the goal of 300 trainers eventually. About 1,000 Iraqi officers are to be trained there each year. Additional Iraqi officers are being trained (under NTM-I) at NATO facilities in Norway, Germany, and Italy. Other countries performing training under bilateral agreements are Jordan (1,500 Iraqi officers trained at Zarqa Military College), Egypt (146 officers), and Poland. A number of other countries, such as Spain, Turkey, France (police), Malaysia, and Morocco, have offered military training, but the offers were not responded to by Iraq.
- *Equipment.* Iraqi military forces are poorly equipped because much of Iraq’s arsenal was destroyed in OIF. The new military is being supplied with U.S. and other donated equipment and some repaired Iraqi equipment. NATO countries from the former East bloc are donating tanks and other mostly Russian-made equipment compatible with the Soviet-era equipment used by the former

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<sup>53</sup> For information on foreign contributions to the training of the ISF, see CRS Report RL32105, *Post-War Iraq: Foreign Contributions to Training, Peacekeeping, and Reconstruction*, by Jeremy Sharp and Christopher Blanchard.

<sup>54</sup> France, Belgium, Greece, Spain, Luxembourg, and Germany had previously declined to send troops to Iraq to participate in the NTM-I, although some of these countries were providing bilateral training outside Iraq.

regime. In November 2005, 77 T-72 tanks donated by Poland arrived in Iraq, giving the new army its first modern battle tanks.

- On November 21, 2003, the Bush Administration issued a determination repealing a U.S. ban on arms exports to Iraq so that the United States can supply weapons to the ISF; authority to repeal this ban was granted in an FY2003 emergency supplemental appropriations (P.L. 108-11), subject to a determination that sales to Iraq are “in the national interest.” On July 21, 2004, the Administration determined that Iraq would be treated as a friendly nation in evaluating U.S. arms sales to Iraqi security forces and that such sales would be made in accordance with the Foreign Assistance Act and the Arms Export Control Act.

**Ministry of Interior/Police Forces.** The following are police forces under the Ministry of Interior, which is advised by the Civilian Police Assistance Training Team (CPATT). However, many of these police forces are being trained to perform counter-insurgency missions rather than traditional policing.

- *Iraqi Police Service (IPS).* There are 82,400 IPS personnel, divided primarily into provincial police departments, trained and equipped thus far. This number includes the 1,300 person *Highway Patrol*. The goal of the police force is 135,000 by February 2007. New police receive eight weeks of training, are paid \$60 per month, and must pass a background check ensuring they do not have a record of human rights violations or criminal activity. They are recruited locally, making them susceptible to intimidation by insurgents in restive areas. Of IRRF funds, \$1.806 billion has been allocated for police training and technical assistance.
- *Other Police Forces.* There are a number of other “police” forces, focused on counter-insurgency missions and organized into battalions. They are (1) the *Bureau of Dignitary Protection*, designed to protect Iraqi leaders, with about 500 personnel; (2) the *Special Police Commandos*, counter-insurgency units with about 10,000 personnel. It receives four weeks of training; (3) the *Emergency Response Unit (ERU)*, a 300-person hostage rescue force; the *Mechanized Police*, which has about 1,200 personnel; and *Public Order Police*, with a total of about 7,000 personnel.
- *Border Enforcement.* This force is also included in the MOI forces. Intended to prevent cross-border infiltration, it has about 17,000 personnel. It now controls 258 border forts (built or under construction) all along Iraq’s frontiers to keep out insurgent fighters. It also has a Riverine Police component to secure water crossings (Shatt al-Arab, dividing Iran and Iraq). Members of these forces receive four weeks of training. Of IRRF funds, \$437 million is allocated for this force. Another \$3 million is allocated to prevent proliferation of Iraqi WMD expertise by paying regular stipends to



150 key Iraqi weapons development personnel that worked for the Saddam regime.

- *Police Training and Funding.* Police training is taking place mostly in Jordan (Jordan International Police Training Center, JIPTC); Iraq (Baghdad Police College and seven regional academies; and the United Arab Emirates (UAE). The countries contributing police instructors in these locations include United States, Canada, Britain, Australia, Sweden, Poland, UAE, Denmark, Austria, Finland, the Czech Republic, Germany, Hungary, Slovenia, Slovakia, Singapore, and Belgium. Also, Egypt trained 258 officers in Egypt in August 2004. Several countries, such as France and Belgium, as well as most of the countries discussed above under “military training,” have offered to train Iraqi police forces.<sup>55</sup>
- *Facilities Protection Service.* This is a force that consists of the approximately 75,000 security guards that protect installations such as oil pumping stations, electricity substations, and government buildings. This force is not counted in U.S. totals for Iraq’s forces because it is not controlled by either the Ministry of Interior or Ministry of Defense. Of IRRF funds, \$53 million has been allocated for this service.

## Coalition-Building and Maintenance<sup>56</sup>

Some believe that the Bush Administration did not exert sufficient efforts to enlist greater international participation in peacekeeping originally and that the U.S. mission in Iraq is being complicated by diminishing foreign military personnel contributions. As of February 1, 2006, 26 coalition partner forces are contributing 21,000 forces, but that total is expected to fall later in 2006. Poland and Britain lead multinational divisions in central and southern Iraq, respectively. The UK-led force (UK forces alone number about 8,000) is based in Basra; the Poland-led force (Polish forces number 1,700) is based in Hilla. British leaders are openly discussing a drawdown later in 2006, although no timetable or determination has been made. In March 2005, Poland drew down to 1,700 from its prior force level of 2,400, and it is now reducing that further to 900. That smaller force had been slated to leave by the end of 2006, although a newly elected government says it might extend the mission into 2007.

The coalition in Iraq has been shrinking since Spain’s May 2004 withdrawal of its 1,300 troops. Spain made that decision following the March 11, 2004 Madrid bombings and subsequent defeat of the former Spanish government that had supported the war effort. However, Spain has said it might train Iraqi security forces

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<sup>55</sup> France has offered to train Iraqi police forces in Qatar.

<sup>56</sup> For additional information on international contributions to Iraq peacekeeping and reconstruction, see CRS Report RL32105, *Post-War Iraq: Foreign Contributions to Training, Peacekeeping, and Reconstruction*, by Kenneth Katzman and Christopher Blanchard.

at a center outside Madrid. Honduras, the Dominican Republic, and Nicaragua followed Spain's withdrawal (900 total personnel), and the Philippines withdrew in July 2004 after one of its citizens was taken hostage and threatened with beheading. On the other hand, many nations are replacing their contingents with trainers for the ISF or financial contributions or other assistance to Iraq. Among recent changes are the following.

- Hungary completed a pullout of its 300 forces in December 2004.
- Italy announced on March 15, 2005, that it would begin withdrawing its force of 3,200 in September 2005; its contingent is now at about 2,600, based in the southern city of Nasiriyah. Italian officials say that force will be halved by June 2006.
- Thailand, New Zealand, and Norway withdrew in early 2005, and Norway's 20 personnel were withdrawn in October 2005.
- In March 2005, the Netherlands withdrew its 1,350 troops, although some remain. Some U.K. and Australian forces have taken over the Netherlands force's duty to help protect Japan's forces in Samawa.
- Ukraine, which lost eight of its soldiers in a January 2005 insurgent attack, withdrew 150 personnel from their base 25 miles south of Baghdad in March 2005. Ukraine says it will complete its withdrawal in early 2006, but it adds that it might give equipment to the Iraqi military.
- In February 2004, Portugal withdrew its 127 paramilitary officers.
- Bulgaria completed the pullout of its 360-member unit after the December 15 Iraqi elections. However, in January 2006 it said it would send a 120-person force to take over guard duties of Camp Ashraf, a base in eastern Iraq where Iranian oppositionists are located.
- South Korea withdrew 270 of its almost 3,600 troops in June 2005, and its cabinet voted on November 21 to withdraw one-third of its remaining 3,300 forces in late 2005, but to keep the remainder in until the end of 2006.
- Japan's parliament voted in mid-December 2005 to extend the deployment of its 600-person military reconstruction contingent in Samawah until as late as the end of 2006. However, the government reportedly is considering ending it sooner, perhaps in May.
- Some countries have increased forces to compensate for withdrawals. Singapore deployed 180 troops in November 2004 after a hiatus of several months. Azerbaijan also has increase forces.

- In February 2005, El Salvador agreed to send a replacement contingent of 380 soldiers to replace those who are rotating out.
- In February 2005, Australia added 450 troops, bringing its contribution to over 900.
- In March 2005, Georgia sent an additional 550 troops to Iraq to help guard the United Nations facilities, bringing its total Iraq deployment to 850. In March 2005, Albania increased its force by 50, giving it about 120 troops in Iraq.

**NATO/EU/Other Offers of Civilian Training.** As noted above, all NATO countries have now agreed to train the ISF through the NTM-I, as well as to contribute funds or equipment. Several NATO countries and others are offering to train not only Iraqi security but also civilian personnel. In addition to the security training offers discussed above, European Union (EU) leaders have offered to help train Iraqi police, administrators, and judges outside Iraq. At the June 22, 2005 Brussels conference discussed above, the EU pledged a \$130 million package to help Iraq write its permanent constitution and reform government ministries; Norway offered energy sector cooperation, and Turkey offered to conduct seminars on democracy for Iraqis. Japan has made a similar offer on constitutional drafting, and Malaysia has offered to train Iraqi civil servants. The FY2005 supplemental appropriations (P.L. 109-13) provides \$99 million to set up a regional counter-terrorism center in Jordan to train Iraqi security personnel and civil servants.

In July 2004, Secretary of State Powell said the United States would consider a Saudi proposal for a contingent of troops from Muslim countries to perform peacekeeping in Iraq, reportedly under separate command. However, the idea floundered because of opposition from potential contributing countries.

## Options and Debate on an “Exit Strategy”

Some Members say that major new initiatives need to be considered to ensure success of the U.S. mission in Iraq, and debates have emerged over several congressional resolutions proposing an “exit strategy.” At the same time, the Administration is planning to reduce the U.S. troop commitment to Iraq somewhat in 2006. The Administration has also adjusted U.S. goals in Iraq, now asserting that the United States is needed only until Iraqi forces can combat the insurgency themselves, rather than until the insurgency is ended. Some of the ideas widely circulated among Members and other policy experts are discussed below.

**Troop Increase.** Some have said that the United States should increase its troops in Iraq in an effort to prevent insurgents from re-infiltrating areas cleared by U.S. operations. Some experts believe the extra troops needed for such an effort might number about 100,000.<sup>57</sup> The Administration asserts that U.S. commanders feel that planned force levels are sufficient to complete the mission, and that U.S.

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<sup>57</sup> Bersia, John. “The Courage Needed to Win the War,” *Philadelphia Inquirer*, Aug. 9, 2005.

commanders are able to request additional forces, if needed, but have not done so. Some experts believe that troop level increases would aggravate Sunni Arabs already resentful of the U.S. intervention in Iraq and that even many more U.S. troops would not necessarily produce stability and would appear to deepen the U.S. commitment without a clear exit strategy. Others believe that increasing U.S. force levels would further the impression that the Iraqi government depends on the United States for its survival.

**Immediate Withdrawal.** Some Members argue that the United States should begin to withdraw virtually immediately. Supporters of this position tend to argue that the decision to invade Iraq and change its regime was a mistake in light of the failure thus far to locate WMD, that a continued large U.S. presence in Iraq is inflaming the insurgency, and that remaining in Iraq will result in additional U.S. casualties without securing U.S. national interests. Those who take this position include the approximately 50 Members of the "Out of Iraq Congressional Caucus," formed in June 2005. In November 2005, Representative John Murtha, a ranking member and former chairman of the Defense Appropriations Subcommittee, publicly articulated a similar position, calling for an "immediate" pullout (over six months). His resolution (H.J.Res. 73) called for a U.S. withdrawal "at the earliest practicable date" and the maintenance of an "over the horizon" U.S. presence to help the ISF. A related resolution, H.Res. 571 (written by Representative Duncan Hunter, chairman of the House Armed Services Committee), expressed the sense "that the deployment of U.S. forces in Iraq be terminated immediately;" it failed 403-3 on November 18, 2005. Other bills, such as H.R. 3142 and H.Con.Res. 197, state that it [should be] U.S. policy not to maintain a permanent or long-term presence in Iraq.

**Withdrawal Timetable.** Another alternative is the setting of a timetable for a U.S. withdrawal. This has been exemplified by H.J.Res. 55, introduced by five House Members from both parties, which calls on the Administration to begin a withdrawal by October 2006. In November 2005, Senator Levin, who takes the view that the United States needs to force internal compromise in Iraq by threatening to withdraw, introduced an amendment to S. 1042 (defense authorization bill) to compel the Administration to work on a timetable for withdrawal (during 2006). Reportedly, on November 10, 2005, Chairman of the Senate Armed Services Committee John Warner reworked the Levin proposal into an amendment that stopped short of setting a timetable for withdrawal but requires an Administration report on a "schedule for meeting conditions" that could permit a U.S. withdrawal. That measure, which also states in its preamble that "2006 should be a period of significant transition to full Iraqi sovereignty," achieved bi-partisan support, passing 79-19. It was incorporated, with only slight modifications by House conferees, in the conference report on the bill (H.R. 1815, H.Rept. 109-360, P.L. 109-163). Senator Russ Feingold expressed a view similar to that of Senator Levin in August 2005 when Senator Feingold called for a withdrawal of U.S. forces by the end of 2006. His resolution (S.Res. 171) calls for the Administration to report to Congress on the time frame needed for the United States to complete its mission.

**Troop Drawdown.** Responding to the November 2005 congressional action, President Bush and U.S. commanders remained adamant in their stated opposition to the setting of any timetable for troop pullouts, let alone an immediate pullout. They maintained that the Iraqi government would collapse upon an immediate

pullout, representing a victory for such terrorist figures as Abu Musab al-Zarqawi. However, as noted above, the President has announced a small drawdown in early 2006 (to about 135,000), and senior U.S. military officials said in late 2005 that there are plans for a substantial drawdown (40,000 - 50,000 of the total contingent) later in 2006 if there is continued political progress and the insurgency does not escalate. On the other hand, it might be difficult to withdraw that large a proportion of the U.S. force without producing major insurgent advances.

Some Members appear to favor the idea of a troop drawdown. In December 2005, Senator John Kerry said the United States should reduce its forces by “at least” 100,000 by the end of 2006. Senator Joseph Biden, ranking Democrat on the Senate Foreign Relations Committee, has said publicly that a drawdown is likely in early 2006. Senator Hillary Clinton wrote to constituents in late November 2005 that the United States might begin withdrawing troops after the December 15 elections, if those elections are successful.<sup>58</sup>

**Power-Sharing Formulas.** Both the Administration and its critics have identified the need to bring more Sunni Arabs into the political process to undercut support for the insurgency. As noted above, U.S. Ambassador Khalilzad has been reaching out to Sunni groups, even some known to have ties to insurgents, and has persuaded some Sunnis to participate openly in the political process. Some believe that a key to progress in this effort will be U.S. ability to persuade the Shiites and Kurds to agree to major amendments to the constitution during the four month amendment process that begins after the December 15 election. Another unknown is what package of incentives would persuade most Sunnis to end support for the insurgency and fully support the government. Many experts believe that the Sunnis will only settle for a share of power that is perhaps slightly less than that wielded by the majority Shiites, even though the Shiites greatly outnumber Sunni Arabs in Iraq.

**Negotiating With the Insurgents.** In addition to exploring power sharing arrangements with moderate Sunni leaders, the Administration appears to have adopted a recommendation by early critics of U.S. policy to negotiate with some Sunni figures representing the insurgency and with insurgent commanders. These include members of the MSA. Secretary of Defense Rumsfeld has confirmed to journalists (June 2005) that such discussions had been taking place and some of these talks reportedly are intended to help U.S. forces defeat Zarqawi’s foreign insurgent faction. However, these talks do not appear to have resulted in major insurgent factions laying down their arms. The insurgent leaders who have attended such talks reportedly want not only an increased role for Sunnis in government but also a withdrawal of mostly Sunni or Kurdish ISF forces from Sunni-inhabited areas and a U.S. withdrawal. Some U.S. officials appear to believe that talking directly with insurgents would increase insurgent leverage and embolden them to continue violent attacks.

**Accelerating Economic Reconstruction.** Some believe that the key to calming Iraq is to accelerate economic reconstruction. According to this view,

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<sup>58</sup> Healy, Patrick. Senator Clinton Calls for Withdrawal From Iraq to Begin in 2006. *New York Times*, November 30, 2005.

accelerated reconstruction will drain support for insurgents by creating employment, improving public services, and creating confidence in the government. This idea appears to have been incorporated into the President's "National Strategy for Victory in Iraq" document and the formation of the PRTs, as discussed above. Others doubt that economic improvement alone will produce major political results. According to this view, the divisions among Iraq's major factions are fundamental and resistant to amelioration by an improved economy. In addition, the U.S. refraining from requesting major additional reconstruction funds might indicate that the Administration has not found this idea persuasive.

**Focus on Local Security.** Another idea advanced by experts, and which appears to form the core of the Administration's "clear, hold, and build" approach in the National Strategy for Victory in Iraq, is for the United States to shift its focus from broad counter-insurgency combat operations to local efforts to improve the sense of security of average Iraqis, which would deny the insurgents popular support.<sup>59</sup> At least one version of this idea, advanced by Andrew Krepinevich in the September/October 2005 issue of *Foreign Affairs*,<sup>60</sup> says that the United States should devote substantial resources to providing security and reconstruction in selected areas, cultivating these areas as a model that would attract support and be expanded to other areas and eventually throughout Iraq.

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<sup>59</sup> Pollack, Kenneth. "Five Ways to Win Back Iraq," *New York Times* op-ed. July 1, 2005.

<sup>60</sup> Krepinevich, Andrew. "How to Win in Iraq," *Foreign Affairs*, Sept./Oct. 2005.

**Table 2. U.S. Aid (ESF) to Iraq's Opposition**  
(Amounts in millions of U.S. \$)

	INC	War crimes	Broadcasting	Unspecified opposition activities	Total
FY1998 (P.L. 105-174)	—	2.0	5.0 (RFE/RL for "Radio Free Iraq)	3.0	10.0
FY1999 (P.L. 105-277)	3.0	3.0	—	2.0	8.0
FY2000 (P.L. 106-113)	—	2.0	—	8.0	10.0
FY2001 (P.L. 106-429)	12.0 (aid in Iraq)	2.0	6.0 (INC radio)	5.0	25.0
FY2002 (P.L. 107-115)	—	—	—	25.0	25.0
FY2003 (no earmark)	3.1	—	—	6.9	10.0
Total, FY1998- FY2003	18.1	9.0	11.0	49.9 (about 14.5 million of this went to INC	88.0
FY2004 (request)	—	—	—	0	0

**Notes:** According to the U.S. Government Accountability Office (Apr. 2004), the INC's Iraqi National Congress Support Foundation (INCSF) received \$32.65 million in U.S. Economic Support Funds (ESF) in five agreements with the State Department during 2000-2003. Most of the funds — separate from drawdowns of U.S. military equipment and training under the "Iraq Liberation Act" — were for the INC to run its offices in Washington, London, Tehran, Damascus, Prague, and Cairo, and to operate its *Al Mutamar* (the "Conference") newspaper and its "Liberty TV," which began in August 2001, from London. The station was funded by FY2001 ESF, with start-up costs of \$1 million and an estimated additional \$2.7 million per year in operating costs. Liberty TV was sporadic due to funding disruptions resulting from the INC's refusal to accept some State Department decisions on how U.S. funds were to be used. In August 2002, the State Department and Defense Department agreed that the Defense Department would take over funding (\$335,000 per month) for the INC's "Information Collection Program" to collect intelligence on Iraq; the State Department wanted to end its funding of that program because of questions about the INC's credibility and the propriety of its use of U.S. funds. The INC continued to receive these funds even after Saddam Hussein was overthrown, but was halted after the June 2004 return of sovereignty to Iraq. The figures above do not include covert aid provided — the amounts are not known from open sources. Much of the "war crimes" funding was used to translate and publicize documents retrieved from northern Iraq on Iraqi human rights; the translations were placed on 176 CD-Rom disks. During FY2001 and FY2002, the Administration donated \$4 million to a "U.N. War Crimes Commission" fund, to be used if a war crimes tribunal is formed. Those funds were drawn from U.S. contributions to U.N. programs. See General Accounting Office Report GAO-04-559, *State Department: Issues Affecting Funding of Iraqi National Congress Support Foundation*, Apr. 2004.

Figure 1. Map of Iraq



Source: Map Resources. Adapted by CRS. (K.Yancey 7/21/04)